United States Court of Appeals

for the Second Circuit

APPENDIX

Original

74-1138

B
P&S

In The

United States Court of Appeals

For The Second Circuit

UNITED STATES OF AMERICA,

Appellee,

vs.

THOMAS JOSEPH CARROLL, VINCENT McCLOSKEY and WILLIAM McCLOSKEY,

Appellants.

APPELLANTS' APPENDIX

Volume IX, pp. 2401a - 2745a

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279-6995

UNITED STATES COURT OF APPEALS
FILED
JUN 13 1974
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SECOND CIRCUIT

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Robert Mitchell, Esq.
51 Chambers Street
New York, N.Y.

SEP 5 1973
S. D. OF N. Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA,	:	73 CR 606 (CMM)
vs.	:	NOTICE OF MOTION
THOMAS JOSEPH CARROLL, JOHN DOE a/k/a "Jack", VINCENT MC CLOSKEY a/k/a "Mike", ROBERT RIPPY a/k/a "Ripp", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GODFFREY MATTHEWS MANN,	:	
Defendants.	:	

----------x

S I R :

PLEASE TAKE NOTICE that upon the affidavit of JAY GOLDBERG, ESQ. and the exhibit, a motion will be made before the Hon. Charles M. Metzner, USDJ, for an order providing that the names of witnesses and a list of veniremen must be turned over three days prior to trial on the ground that though death no longer remains as a punishment for the crime of murder it is nonetheless "a capital offense" pursuant to 18 USC 3432.

Dated: New York, N. Y.
August 30, 1973

Yours etc.,

JAY GOLDBERG
Attorney for Defendant,
Vincent McCloskey
299 Broadway
New York, N. Y. 10007
374-1040

TO:

JOHN J. KENNEY
Ass't. U. S. Attorney
U. S. Courthouse
Foley Square
New York, N. Y. 10007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

vs. : AFFIDAVIT

THOMAS JOSEPH CARROLL, JOHN DOE a/k/a "Jack", VINCENT MC CLOSKEY a/k/a "Mike", ROBERT RIPPY a/k/a "Ripp", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GODFFREY MATTHEWS MANN,

Defendants.

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

JAY GOLDBERG, defendant McCloskey's attorney, being duly sworn, deposes and says:

In open court it was ruled that the death penalty no longer remains as punishment for the crime with which the defendant stands accused. The Court took the position that 18 USC 3432 does not therefore apply.

I am annexing hereto an opinion of a Court that, of course, does not control the decision of Your Honor, but which I respectfully submit justifies a decision of this Court that would still treat the charge as a capital offense for purposes of requiring the relief sought herein. The exhibit annexed hereto is a decision from the Supreme Court of the State of Utah entitled State vs. James, decided July 19, 1973.

WHEREFORE, it is prayed that the relief sought in the annexed notice of motion be granted.

JAY GOLDBERG

Sworn to before me this
30th day of August, 1973.

FRANCES B. KIERNAN
Notary Public, State of New York
No. 30-0980255
Qualified in Westchester County
Term Expires March 30, [illegible]

IN THE SUPREME COURT OF THE STATE OF UTAH

----- ooOoo -----

The State of Utah,
Plaintiff and Respondent,

v.

Samuel James, Jr.,
Defendant and Appellant.

No. 13155
FILED
July 19, 1973

L. M. Cummings, Clerk

CALLISTER, Chief Justice:

Defendant was convicted by a jury of the crime of murder in the first degree; he was sentenced to the Utah State Prison for the term provided by law.

In a hearing in chambers, immediately preceding the trial, the court ruled that in light of the decision of the United States Supreme Court outlawing the death penalty, the proceeding was no longer a capital case, and defendant was only entitled to an eight-man jury. Defendant appeals therefrom, contending that he was denied a twelve-man jury as guaranteed to him by Article I, Sec. 10, Constitution of Utah.

The specific issue of this case is what is the effect of Furman v. Georgia[1] on the procedural guarantees granted by statute and the Constitution to defendant in a capital case?

Article I, Section 10, Constitution of Utah, provides:

> In capital cases the right of trial by jury shall remain inviolate. In courts of general jurisdiction, except in capital cases, a jury shall consist of eight jurors . . .

Section 78-46-5, U.C.A. 1953, provides:

> A trial jury in capital cases shall consist of twelve jurors. A trial jury in other criminal cases . . . in the district court shall consist of eight jurors . . .

The precise holding as expressed in the per curiam opinion in Furman v. Georgia[2] was that the imposition and carrying out of the death penalty in the cases before the court constituted cruel and unusual punishment in violation of the Eighth and Fourteenth Amendments. Each justice issued a separate opinion, expressing his individual interpretation of the constitutional issues.

Subsequent to the Furman decision, there have been a number of opinions regarding its effect on constitutional and statutory provisions concerning bail in "capital cases" or "capital offenses." However, there are only two jurisdictions which have been reported so far that have determined the effect of Furman concerning specific procedures reserved exclusively for the conduct of a trial in a capital case.

In Donaldson v. Sack,[3] the court reasoned that the death penalty must be a possible punishment in all "capital cases." Since the death penalty had been eliminated by the ruling of the United States Supreme Court, the rules were no longer applicable, which required twelve persons to constitute a jury to try all capital cases. The court concluded that Florida no longer had what had been previously termed a "capital case."

---

1. 408 U.S. 238, 92 S. Ct. 2726, 33 L. Ed. 2d 346 (1972).
2. Note 1, supra.
3. Fla., 265 So. 2d 499, 503 (1972).

The court reached the opposite conclusion in State v. Holmes,[4] wherein the court assessed the effect of Furman on a provision in the State Constitution that in cases in which the punishment may be capital, all of the jury of twelve must concur to render a verdict. The State urged that there were no more capital cases, since the only punishment available for the crime of murder was life imprisonment; therefore, the provisions concerning juries in non-capital cases were now applicable to those formerly designated "capital cases."

The court responded that the severity of the offense was legislatively determined and depended upon the maximum penalty which could be imposed for the offense charged. The court explained that for three-fourths of a century, the legislature had made provisions for procedural matters in criminal cases which depended on the classification in the Louisiana Constitution. The court observed that if the legislature had eliminated capital punishment but remained silent with respect to procedural changes, the court might be justified in adopting the reasoning of the State - that all statutory references to capital cases should be ignored. The court continued:

> However, it was not the legislature, but the United States Supreme Court that has held the imposition and execution of the death sentence, as now applicable in our State, to be violative of the United States Constitution. No presumption arises that any other provision of Louisiana law has been affected by the United States Supreme Court, except those having to do with the imposition and execution of death sentences. Nor, indeed, has the United States Supreme Court eliminated the possibility that the Louisiana legislature might enact statutes which could constitutionally impose the death sentence, when the sentence is mandatory and cannot be applied in a discriminatory manner.
>
> Although the hiatus is obvious and the situation undesirable, we conclude that we should (at least until the legislative process has reorganized the criminal law and procedure in view of Furman) interpret Article 7, Section 41 of the Louisiana Constitution as referring to classes of crimes, and that those which the legislature has classified as capital offenses shall be tried by a jury of twelve, all of whom must concur to render a verdict.

The cases, which have considered the impact of Furman, when the right to bail is contingent on whether the defendant is charged with a capital offense, indicate a split of authority. One group proceeds on the "penalty" theory, and the other follows the classification theory. The "penalty" theory is illustrated by Commonwealth v. Truesdale;[5] wherein the court stated that a "capital offense" refers to the punishment or penalty which may be imposed upon the person found guilty of a crime, rather than a definition of a particular crime. The court reasoned that since, presently, there were no criminal offenses in the Commonwealth, for which the death penalty might be imposed, there were no "capital offenses."[6]

The "classification" theory is illustrated in People v. Anderson[7] wherein the court explained that the constitution and statutes refer to a category of offenses for which the punishment of death might be imposed. The law determined the gravity of such offenses; those offenses remain the same, although punishment by death cannot constitutionally be exacted. Nevertheless, the gravity of those offenses endures.[8]

---

4. 263 La. 685, 269 So.2d 207, 209 (1972).
5. 449 Pa. 325, 296 A.2d 829, 832 (1972).
6. Also see State v. Johnson, 61 N.J. 351, 294 A.2d 245 (1972); Ex Parte Contella, Texas Criminal Appeal, 485 SW.2d 910 (1972).
7. 6 Cal. 3d 628, 100 Cal. Rptr. 152, 493 P.2d 880, 900, Footnote 45.
8. Also see State v. Ilaga, 81 Wash. 2d 704, 504 P.2d 787, 789 (1972); People Ex Rel. Dunbar v. District Court, Colo., 500 P.2d 358 (1972); State v. Flood, 263 La. 700, 269 So.2d 212 (1972).

The "classification" theory appears preferable, particularly in light of the additional safeguards provided in the Constitution of Utah to a defendant charged with a crime so distinct and grave in nature that the legislature has deemed death an appropriate penalty. There are three crimes designated in this unique category: murder in the first degree (§ 76-30-4, U.C.A. 1953), kidnaping in the first degree (§ 76-35-1, U.C.A. 1953), and a particular type of assault by a convict (§ 76-7-12, U.C.A. 1953, as amended 1957). The Constitution of the state has provided a system of classifying certain serious offenses as capital cases and then mandated a specific procedural structure for the administration of justice based on that classification. Furman v. Georgia cannot be rationally construed as abrogating our fundamental law.

"Capital cases" as this term is used in Article I, § 10, refers to a category of criminal actions, including therein the entire prosecution and not merely the last stage, the penalty phase. Furman v. Georgia is limited to this final phase of the action, the imposition and execution of the death penalty. Murder in the first degree has been classified as a capital crime by the legislature; Furman affected only the punishment; the nature of the crime remains unchanged.

Defendant was entitled to be tried by a twelve-man jury; the trial court committed prejudicial error when it denied him this right. Defendant's other points on appeal are without merit. This case is reversed and remanded to the district court for a new trial.

WE CONCUR:

J. Allan Crockett, Justice

R. L. Tuckett, Justice

Henriod, Justice, concurs in the result.

ELLETT, Justice: (Concurring in the result)

I concur in reversing this case because the appellant could not be tried by an eight-man jury. His crime was that of murder in the first degree, and the only penalty provided by law for conviction thereof without recommendation of leniency by the jury and a concurrence therein by the trial judge is death.[1]

To remove the penalty provided by law is to cast doubt upon the statute as it relates to murder in the first degree. The law is set out in 21 Am. Jr. 2d, Criminal Law, § 16, as follows:

> . . . [A] criminal statute is of no force or effect if no penalty whatever is provided for its violation . . .

The prevailing opinion gives more credit to the case of Furman v. Georgia than it deserves. That case has ten opinions on it, although there are only nine justices. The only thing agreed upon by a majority of the court was that the death penalty was cruel and unusual. The reasons given by the concurring justices are devoid of reason, logic or common sense. Let us look at those reasons:

Justice Douglas says that to apply the penalty selectively to minorities suggests cruel and unusual. He cites McGautha v. California, 402 U.S. 183, wherein the court not only refused to hold the death penalty unconstitutional but also held that the determination by the jury of whether the penalty should be imposed was not prohibited by the federal constitution. He quotes

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1. Sec. 76-30-4, U.C.A. 1953.

NOTICE OF ENTRY

Sir:—Please take notice that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named Court on 19

Dated

Yours, etc.,

JAY GOLDBERG

Attorney for

Office and Post Office Address

299 BROADWAY

NEW YORK, N. Y. 10007

To

Attorney s for

NOTICE OF SETTLEMENT

Sir:—Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on the day of 19

at M.

Dated,

Yours, etc.,

JAY GOLDBERG

Attorney for

Office and Post Office Address

299 BROADWAY

NEW YORK, N. Y. 10007

To

Attorneys for

75 Cr. 506

Index No. Year 19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

vs.

VINCENT MC CLOSKEY, et al

Defendants.

MOTION PAPERS

JAY GOLDBERG

Attorney for Defendant McCloskey

Office and Post Office Address, Telephone

299 BROADWAY

NEW YORK, N. Y. 10007

374-1040

To

Attorneys for

Service of a copy of the within

is hereby admitted

Dated.

Attorneys for

Sept 19 1975
Call to hold
the motion
[illegible]
[illegible]

U.S. DISTRICT COURT
FILED
SEP
S.D. OF N.Y.

to the Court
conclusive, 1973
... - dismissed. See
United States, 211 F.2d
1967). See also
Clerk's Instructions
(1 JDJ

2407a

JJK:js

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- x

UNITED STATES OF AMERICA :

-v- :

THOMAS JOSEPH CARROLL, JOHN DOE, a/k/a "JACK", VINCENT McCLOSKEY, a/k/a "MIKE", ROBERT RIPPY, a/k/a RIPP, CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GEOFFREY MATTHEWS MANN, :

Defendants. :

- x

GOVERNMENT'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' PRE-TRIAL MOTIONS

Preliminary Statement

On June 19th, 1973, Indictment 73 Cr. 606 was filed in three counts charging each of the captioned defendants with conspiring to rob a United States mail truck and to put in jeopardy

JJK:js

the lives of the persons with custody of that truck and its contents. In furtherance of this scheme, the indictment charges, the defendants killed William Heckey, the guard on the postal truck, and assaulted and wounded Crawford Lawrence, the driver of the truck.

All the defendants, except John Doe, a/k/a "Jack", are in jail in lieu of bail awaiting trial which is presently scheduled for September 10th, 1973.

The memorandum of law and accompanying affidavit by John J. Kenney are submitted in opposition to the defendants motions for discovery and other relief, except in so far as the government has consented to that relief.

Statement of Facts

In response to the defendants' motions for discovery pursuant to Rule 16, Federal Rules of Criminal Procedure, the government has consented to broad disclosure but has opposed requests to disclose the names of government witnesses and potential government witnesses in advance of trial, statements of co-defendants and co-conspirators and charges pending or investigations pending against government witnesses.

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The government has consented to name co-conspirators now known to the government but not named in the indictment, as well as, to disclose the criminal records of government witness at the time of trial. In addition, the government has agreed to make a statement at the time of trial as to any agreement or understanding it may have with key government witnesses. The government has consented to file a bill of particulars but has again refused to reveal the names of government witnesses in advance of trial as well as to respond to requests outside the scope of the charges detailed in the indictment.

ARGUMENT

THE GOVERNMENT PROPERLY COMPLIES WITH THE REQUIREMENTS OF RULES 16 AND 7(F), FED R. CRIM. PROC.

The defendants are not entitled to the names and/or addresses of government witnesses in advance of trial. United States v. Persico 425 F.2d, 1375, 1378 (2d Cir.) cert. denied 400 U.S. 869 (1970); United States v. Gardner, 308 F. Supp. 425, 429 (S.D.N.Y. 1969). Such information is not generally available to a defendant except in a capital case. United States v. Wolfson

413 F2d 804, 808 (2d Cir. 1969); United States v. Kelley 254 F. Supp 9, (S.D.N.Y. 1966). An exception to this rule has been forged by statute for cases in which the defendant faces the death penalty if convicted. 18 U.S.C. 3432.

The defendants do not fact the death penalty if convicted in this case. While count two of the present indictment charges the defendants with what appears on its face to be a capital offense,* similar state statutes, leaving it to the discretion of the judge or jury whether the death penalty should be imposed, have recently been held void as imposing "cruel and unusual punishment" in violation of the 8th amendment to the Constitution. Furman v. Georgia 408 U.S. 238 (1972). The federal statutes permitting the death penalty were voided as well as a result of this decision. Furman v. Georgia, supra, at pg. 411 (Blackmun, J., dissenting opinion.

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* First degree murder includes a killing committed with malice aforethought in the attempted perpetration of a robbery and is punishable by death "unless the jury qualifies its verdict by adding thereto' without capital punishment." In that event the penalty is life imprisonment. 18 U.S.C. 1111.

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A defendant not charged with treason or other capital offense is not entitled to a list of witnesses pursuant to 18 U.S.C. 3432 prior to trial.* United States v. Persico, supra. Rosenzweig v. United States, 412 F.2d 844, 845 (9th Cir. 1969). In the present case, the defendants may be imprisoned for life but the death penalty cannot be imposed. It is not a prosecution for a capital offense. Cf. Brown v. Johnson 126 F2d 727 (9th Cir. 1942); United States v. Parker 103 F2d 857, 861 (3d Cir.) cert. denied 307 U.S. 642 (1939).

The recent decision in United States v. Baum, ____F2d_____ (2d Cir. 1973) dkt nos. 72-1966, 72-2134, op. no. 220 is not controlling on the facts of this case. In Baum, the government did not reveal the identity of a witness who testified to a "similar act." This testimony was highly probative on the issue

* It should be noted even when this section is applied, the government is not required to list witnesses it intends to call to disprove the defense. Turner v. United States 441 F2d 736, 738 (5th Cir. 1971); United States v. Hessler 469 F2d 1294 (7th Cir. 1972). United States v. Rosenberg 195 F2d 583 599 (2d Cir 1952).

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of the defendant's knowledge whether certain goods in his possession were stolen. The court denied the defendant's application for a continuance to prepare cross-examination.

The Court found that the defendant was unfairly surprised by this testimony which cut deeply into his past life and character concerning conduct which the indictment did not call upon him to answer. In the present case, the charges which the defendants are called upon to answer are fully set forth in the indictment and greatly expanded by discovery to which the government has consented.

In Baum the Court held that a new trial would be required to afford the defendant a fair opportunity to meet the critical and damaging proof of an offense which was not presented against him in the indictment. The Court affirmed the conviction as to a co-defendant against whom the damaging 'similar act' testimony was not admitted.

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The Court's statement of dicta in footnote three of the Baum opinion was not meant to over rule the present law in nearly every circuit, including this circuit, that a list of government witnesses is not required in non-capital case.*

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* "Absent these factors, prevailing concepts of criminal justice oblige the prosecuting attorney to disclose to the defense the names and addresses of witnesses he intends to call at trial." Citing American Bar Association Standards Relating to Discovery and Procedure Before Trial § 2.1 (iv) (Approved Draft, 1970); Proposed Rules of Federal Criminal Procedure § 16 (a) (1) (VI), 48 F.R.D. 553 1970.

Stating "Absent these factor ..." the Court is referring to that portion of the opinion in which it found the witness in question was not in physical danger because he was in jail and the disclosure of his identity would not have made him reluctant to testify since he had volunteered in the first instance and was hopeful of having his prison sentence, which he was serving at the time, reduced.

On June 4th, 1973, in denying a government motion for re-argument, the Court filed an order amending this footnote to read "Absent these factors or other valid considerations..."

United States v. Persico, 425 F.2d 1375 (2d Cir. 1970); United States v. Addonizio, 451 F.2d 49, 62 (3d Cir. 1972); United States v. Chase, 372 F.2d 453, 456 (4th Cir. 1967); United States v. Baggett, 455 F.2d 476 (5th Cir. 1972); United States v. Conder, 423 F.2d 904 (6th Cir. 1970); United States v. Cansler, 419 F.2d 952, 954 (7th Cir. 1969); United States v. Harflinger, 436 F.2d 928, 936 (8th Cir. 1970); United States v. Glass, 421 F.2d 832, 833 (9th Cir. 1969); Carpenter v. United States, 463 F.2d 397, 402 (10th Cir. 1972); and see 18 U.S.C., Section 3432.

The Government is not required to turn over to the defendants in advance of trial statements made by co-defendants or co-conspirators. United States v. Edwards 42 F.R.D. 605 (S.D.N.Y. 1967); United States v. Fassler, 46 F.R.D. 43 (S.D.N.Y. 1968). Such statements are specifically excluded from discovery by rule 16 (b), Fed. R. Crim. Proc.*

* It should be noted that Rule 16b requires a showing of both materiality to the defense and reasonableness. None of the defendants makes such a showing.

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The government's consent to a bill of particulars is more than adequate. The purpose of a bill of particulars is to inform the defendant of the charge against him with sufficient precision to enable him to prepare his defense, avoid surprise, and to enable him to plead double jeopardy in the event of any future prosecution for the same offense. United States v. Malensky, 19 F.R.D. 426, 428 (S.D.N.Y. 1956); United States v. Bentvena, 193 F. Supp. 485, 498 (S.D.N.Y. 1960) aff'd 319 F.2d 916 (2d Cir.) cert. denied 375 U.S. 940 (1963); United States v. Boneparth, 52 F.R.D. 544 (S.D.N.Y. 1971).

Here the defendants have a charge of conspiracy in the indictment setting forth who they acted in concert with and the government has agreed to name co-conspirators known to it but not named in the indictment. In addition to the overt acts mentioned in the indictment, the government has agreed to give the time of the acts, who among the defendants was present, who acted and who aided and abbetted that action and what weapons were used insofar as the government is in possession of these facts.

Evidentiary detail is not the function of a bill of particulars. United States v. Caine 270 Supp. 801, 807 (S.D.N.Y. 1967). Further demands by the defendants improperly call for either (1) disclosure of the government's evidence or theory of its case. See United States v. Callahan 300 F.Supp. 519, 526 (S.D.N.Y. 1969); United States v. Lebron, 222 F.2d 531, 535-536 (2d Cir.) cert. denied 350 U.S. 876 (1955), (2) the government to reveal its legal theory. See U.S. v. Klein 124 F. Supp. 476 (S.D.N.Y. 1954); United States v. Kelley 245 F. Supp 198 (S.D.N.Y. 1961) (3) particularization of what is not a part of the charge alleged in the indictment. United States v. MacLeod Bureau 6 F.R.D. 590 (D. Mass. 1947) or (4) demands calling for government witnesses. See United States v. Bentvena, supra. United States v. Kelley, supra.

The defendants are, for example, not entitled to dates, times and places of meetings at which the conspiracy was planned but which are not charged as overt acts, United States v. Crisona 271 F. Supp. 150 (S.D.N.Y. 1967); the date when a defendant became a member of the conspiracy, United States v. Kahaner 203 Supp. 84 (S.D.N.Y. 1962) or the manner in which the

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defendant carried out the crime. United States v. Lieberman 15 F.R.D. 278, 281 (S.D.N.Y. 1958).

CONCLUSION

The defendants' pre-trial motions for discovery and other relief should be denied except as consented to by the government in the accompanying affidavit.

Respectfully submitted,

PAUL J. CURRAN
United States Attorney for the
Southern District of New York
Attorney for the United States
of America

JOHN J. KENNEY
Assistant United States Attorney
-Of Counsel-

U.S. DISTRICT COURT
FILED
SEP 10 1973
S. D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

THOMAS JOSEPH CARROLL, et al.
(VINCENT McCLUSKEY a/k/a "Mike",

Defendant.

AFFIDAVIT

73 Cr. 606

(cmm)

STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

JOHN J. KENNEY, being duly sworn, deposes and says:

1. I am an Assistant United States Attorney in the office of Paul J. Curran, United States Attorney for the Southern District of New York and, as such, I am assigned to and familiar with the facts and prior proceedings in the above-captioned matter.

2. This affidavit is submitted in opposition to the defendant Vincent McCluskey's motion dated August 17th, 1973 seeking discovery of the names and addresses of persons at the scene of the crime charged and whom the government does not intend to call as witnesses at trial. And for the issuance of a subpoena for the reports of the New York City Police Department relating to the crime charged in count two of the present indictment.

3. This affidavit is also submitted in opposition to McCluskey motion dated August 30th, 1973 for an order providing the government turn over the names and addresses of witnesses and a list of veniremen prior to trial.

4. The Court ruled at the time of oral argument on pre-trial motions in this case that in the light of Furman v. Georgia 403 U.S. 239 (1972) this was not a capital case and Section 3432, Title 18, United States Code, did not apply. This ruling was consistent with the government's position which was fully briefed at that time.

5. The Utah case, a copy of which is attached to defendant's papers, Utah v. Samuel James, Jr. - (July 19th, 1973) summarized 13 Cr. L 2434 (August 15th, 1973) is not controlling. That case concerns a Utah State Constitution provision for a 12 man jury in a capital case and 8 in other cases.

6. We are in disagreement with the reasoning of the Utah Court that since a particular crime was classified as one serious enough to require a 12 man jury, the Supreme Court in Furman v. Georgia, supra, may eliminate the death penalty as a possible punishment, but it did not change the intent of the legislature with regard to crimes of this class. Our position is rather that special considerations are given under federal law to defendants who might be put to death if convicted. Since punishment of that magnitude and finality is no longer available, such considerations are no longer valid.

7. McCluskey's request for names and addresses of those persons present at the scene of the crime whom the government does not intend to call as witnesses was specifically denied when made by the defendant Rippy (See Rippy discovery request V.4. and V 14 denied 6/6/73; government's affidavit in opposition ¶28 and 78).

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In addition, the government need not turn over the names of any government witness. The Court so ruled on the basis of an affidavit submitted by the government "in camera". Jay Goldberg, Esq., attorney for McCluskey was notified of this ruling by a letter from the government dated August 8th, 1973.

9. This ruling of the Court necessarily includes prospective witnesses that is persons the government is not presently intending to call but may subsequently decide call either in its direct case or in rebuttal.

10. The subpoena submitted by McCluskey seeks reports written by prospective government witnesses. Such discovery is specifically excluded by Section 3500, Title 18, United States Code, prior to the testimony of such a witness.

11. In addition, discovery is an improper use of such a subpoena. United States v. Marcello, 423 F.2d 993, 1006 (5th Cir.) cert. denied 398 U.S. 959 (1970). Rule 17(c), Federal Rules of Criminal Procedure, provides a liberal policy for the production and inspection of materials to be used at trial. In re. Magnus Mabee and Reynard, Inc., 311 F.2d 12, 15 (2d Cir. 1962) cert. denied 373 U.S. 902 (1963). This is not in any sense the intent of McCluskey's proposed subpoena.

WHEREFORE the defendant McCluskey's motions of August 17th and August 30th, 1973, should be denied in all respects.

John J. Kenney

JOHN J. KENNEY
Assistant United States Attorney

Sworn to before me this
10th day of September, 1973.

Lynwood Hayes

LYNWOOD HAYES
Notary Public, State of New York
No. 41-1728625
Qualified in Queens County
Cert. filed in New York County
Commission Expires March 30, 1975

U.S. DIST. COURT
FILED
SEP 7 1973
S. D. OF N. Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	73 CP 606 (CMM)
vs.	NOTICE OF MOTION
THOMAS JOSEPH CARROLL, JOHN DOE a/k/a "Jack", VINCENT MC CLOSKEY a/k/a "Mike", ROBERT RIPPY a/k/a "Ripp", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GODFFREY MATTHEWS MANN,	
Defendants.	

PLEASE TAKE NOTICE that upon the annexed affidavit of JAY GOLDBERG, attorney for defendant MC CLOSKEY, a motion will be made in this Court at a time and place to be set by the Hon. Charles M. Metzner, USDJ, for an order directing a mental competency hearing pursuant to 18 USC 4244 on the ground that at the present time defendant does not understand the nature of the proceedings against him and is not able to consult meaningfully with counsel or assist in his own defense.

Dated: New York, N. Y.
September 5, 1973

Yours etc.,

JAY GOLDBERG
Attorney for McCloskey
299 Broadway
New York, N. Y. 10007
(212) 374-1040

TO:

JOHN J. KENNEY
Assistant U. S. Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	73 CR 606
vs.	:	AFFIDAVIT
THOMAS JOSEPH CARROLL, JOHN DOE a/k/a "Jack", VINCENT MC CLOSKEY a/k/a "Mike", ROBERT RIPPY a/k/a "Ripp", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GODFFREY MATTHEWS MANN,	:	
Defendants.	:	

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

JAY GOLDBERG, defendant MC CLOSKEY's attorney, being duly sworn, deposes and says:

I visited with the defendant last week and was unable for the first time to conduct a meaningful interview. At that time I found that the defendant assumed a fixed stare, did not speak and I therefore terminated the interview. On Saturday, Sept. 1, 1973, defendant's wife called me crying hysterically from the prison and informed me that the defendant kept calling her by another name, wouldn't look at her, but assumed a fixed stare for much of the time.

This morning, Donald Hopper, Esq., who is associated with me in an of-counsel capacity went to the prison and reported that the defendant appears to be ill, exhibiting signs of mental disorder, that he is catatonic in demeanor, unable to talk about the case or assist in any way in the defense of this case.

I am anxious that the trial not be delayed. This Court has courteously adjourned this matter at my request and I therefore felt obliged by this motion to notify the Court of this problem which has just arisen. If the defendant is feigning that ought to be determined by a mental examination as rapidly as possible. If, on the other hand, the defendant is in a state of present insanity or other mental incompetency he is not able to stand trial. In any event, there ought to be a judicial determination of the mental competency of the accused.

JAY GOLDBERG

Sworn to before me this
5th day of September, 1973.

Frances B. Kiernan

FRANCES B. KIERNAN
Notary Public, State of New York
No. 03-0580255
Qualified in Westchester County
Commission Expires March 30, 1975

24250

September 6, 1973. The motion to reconsider having been withdrawn as granted the request of United States Attorney that permission be granted for the appointment of Dr. [illegible] as a temporary psychiatrist on the staff of Bellevue Hospital to perform the duties and functions required by the court.

Charles M. Metz
U.S.D.J.

NOTICE OF ENTRY

Sir - Please take notice that the within is a *(certified)* true copy of a
duly entered in the office of the clerk of the within named court on 19

Dated.

Yours, etc.,

JAY GOLDBERG

Attorney for

Office and Post Office Address

299 BROADWAY

NEW YORK, N. Y. 10007

To

Attorney(s) for

NOTICE OF SETTLEMENT

Sir —Please take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on day of 19

at M.

Dated,

Yours, etc.,

JAY GOLDBERG

Attorney for

Office and Post Office Address

299 BROADWAY

NEW YORK, N. Y. 10007

To

Attorney(s) for

73 CR 606 (CMM)

Index No. Year 19

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

vs.

VINCENT MC CLOSKEY a/k/a "Mike", et al

Defendants.

MOTION PAPERS

JAY GOLDBERG

Attorney for Defendant McCloskey

Office and Post Office Address, Telephone

299 BROADWAY

NEW YORK, N. Y. 10007

374-1040

To

Attorney(s) for

Service of a copy of the within

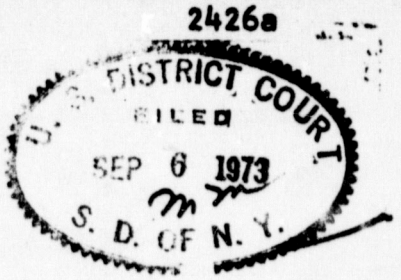
is hereby admitted.

Dated,

Attorney(s) for

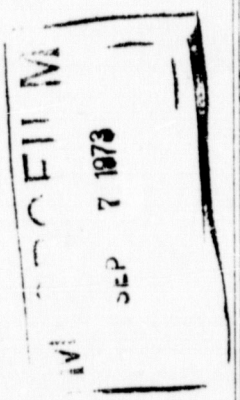
JJK:js

2426a



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	:	
-v-	:	ORDER PURSUANT TO 18 U.S.C. §4244
THOMAS JOSEPH CARROLL, et al., (VINCENT McCLUSKEY a/k/a "Mike",	:	73 Cr. 606
Defendants.	:	



Upon the motion of the defendant VINCENT McCLUSKEY, a/k/a "Mike" upon the consent of the government , and pursuant to Title 18 United States Code, Section 4244, it is hereby

ORDERED that Dr. David Abrahamsen, M.D., a qualified psychiatrist, be employed to examine the defendant, Vincent McCluskey, a/k/a "Mike" to determine (1) the defendant's mental capacity to appreciate the wrongfulness of his conduct, conform his conduct to the requirements of law at the time of the alleged criminal conduct described in the Indictment returned June 19, 1973 and (2) the defendant's mental capacity to understand the nature of the proceedings against him and properly to assist in his own defense in the above-entitled action, and it is further

ORDERED that the doctor identified in the first ordered paragraph hereof be permitted to visit and interview the defendant at the Federal House of Detention, 427 West Street, New York, New York, at a time mutually agreeable to the doctor and the warden, for the purposes of conducting such examination, and it is further

JJK:ew

ORDERED that the doctor prepare a written report of his findings and conclusions, including his prognosis, and that said report be submitted to the Honorable Charles M. Metzner, United States District Judge, on or before Wednesday, September 12, 1973, and it is further

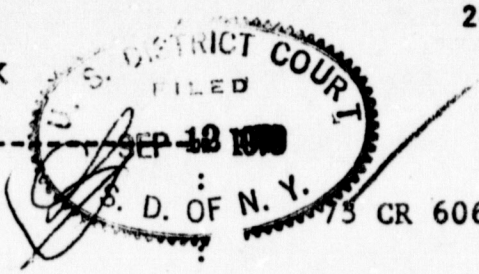
ORDERED that Vincent McCluskey a/k/a Mike be directed to pay a reasonable fee for the above-described doctor's services.

Dated: New York, New York

September 6, 1973.

U. S. D. J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA, : 75 CR 606

vs. : ORDER PURSUANT TO 18 USC 4244

VINCENT McCLOSKEY, et al :

Defendants. :

Upon the motion of the defendant, VINCENT McCLOSKEY and pursuant to 18 USC 4244, it is hereby

ORDERED, that Dr. Stanley Portnow, a qualified psychiatrist, be employed to examine the defendant to determine (1) his mental capacity to appreciate the wrongfulness of his conduct, conform his conduct to the requirements of the law at the time of the alleged criminal conduct described in the indictment returned June 19, 1973, and (2) the defendant's mental capacity to understand the nature of the proceedings against him and properly to assist in his own defense, and it is further

ORDERED, that the doctor identified in the first Ordered paragraph hereof be permitted to visit with and interview the defendant at the Federal House of Detention, 427 West Street, New York, N. Y., at a time mutually agreeable to the doctor and the Warden for the purposes of conducting such examination, and it is further

ORDERED, that the doctor prepare a written report of his findings and conclusions and that said report be submitted to Judge Charles M. Metzner and to Assistant United States Attorney Kennedy on or before Friday, September 14, 1973, and it is further

ORDERED, that VINCENT McCLOSKEY be directed to pay the doctor's fee for the services rendered.

Dated: New York, N. Y.
September 12, 1973

Charles M. Metzner
U.S.D.J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

vs. AFFIDAVIT

VINCENT McCLOSKEY, et al

Defendants.

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss.:

JAY GOLDBERG, being duly sworn, deposes and says:

Last week I moved for the appointment of a psychiatrist and the psychiatrist was appointed by order dated September 6, 1973. The examination was conducted on September 11, 1973, by Dr. Abrahamsen. The family of the defendant wishes to have the defendant examined by Dr. Stanley Portnow, a qualified psychiatrist and former chief of forensic psychiatry at Bellevue Hospital. At this stage there is no request for any factual hearing for it may well be that Dr. Portnow will find the defendant competent and sane. However, it is respectfully submitted the defendant should have the right to have available to him a psychiatrist of his own choosing and the family is prepared to pay for this examination.

Notice of this application has been given today to Mr. Kenney.

JAY GOLDBERG

Sworn to before me this
12th day of September, 1973

FRANCES B. KIERNAN
Notary Public, State of New York
No. 03-3780265
Qualified in Westchester County
Commission Expires March 30, 1975

USA-33s-106A P - AFF. FOR W/H/C AD P S
Ed. 8/23/57

2431a

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- x

UNITED STATES OF AMERICA :

-v- : AFFIDAVIT

ROBERT RIPPY a/k/a "Ripp", : 73 Cr. 606

Id No. 132615 :

Defendant . :

- x

STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

JOHN J. KENNEY, being duly sworn, deposes and says that he is an Assistant United States Attorney for the Southern District of New York; that he has charge of the prosecution of the above named case; that the defendant Robert Rippy a/k/a "Ripp", has been indicted by the Grand Jury for the Southern District of New York for the unlawful conspiracy to rob a United States mail truck in violation of Section 371, Title 18, United States Code, and for other crimes.
The indictment was filed in the United States District Court for the Southern District of New York on June 19, 1973 . The defendant is now confined in Lorton Correctional Institute and Reformatory on a charge of violating an unknown statute

and his confinement will terminate at an unknown time.

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GPO 1972 O - 487-883

That the case is now on the calendar of the United States District Court for the Southern District of New York for trial and it is necessary that the defendant appear and defend himself.

WHEREFORE, your deponent respectfully prays that a writ of habeas corpus ad prosequendum issue, directing the Warden of said Lorton Correctional Institution, Lorton, Virginia and the United States Marshal for the Southern District of New York to produce the above named defendant in the United States District Court for the Southern District of New York, Room 1506 United States Court House, Foley Square, New York, N. Y., at 10:00 A.M. on Monday, September 17th, 1973, and after the said defendant has been discharged or convicted and sentenced on said indictment, to return him to the said institution.

John J. Kenney
JOHN J. KENNEY
Assistant United States Attorney

Sworn to before me this
5th day of September, 1973.

Edward Hayes

EDWARD HAYES
Notary Public, State of New York
No. 41-1758425
Qualified in Queens County
Cert. filed in New York County
Commission Expires March 30, 1975

USA-3Es-106 - WRIT OF H/C AD PROSEQUENDUM
Ed. 8/23/57

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73-1365

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO: WARDEN
Lorton Correctional Institution and Reformatory
Lorton, Virginia

and United States Marshal
Southern District of New York,

GREETING:

YOU ARE HEREBY COMMANDED to have the body of

ROBERT RUPPY, a/k/a "Rip", now detained in the
Id. No. 132615

Lorton Correctional Institution and Reformatory
under your custody as it is said, under safe and secure conduct before the Judges of our District Court within and for the Southern District of New York, at the United States Court House, Room 1506 Foley Square, New York, New York, on ~~Monday~~ Tuesday, September 11th, 1973 at 10:00 o'clock in the forenoon, there to appear and stand trial

and immediately after the said defendant ROBERT RUPPY shall have been discharged or convicted and sentenced on said indictment, that you return him to the said Lorton Correctional Institution & Reformatory, Lorton, Virginia under safe and secure conduct, and have you then and there this writ.

WITNESS the Honorable DAVID N. EDELSTEIN, Chief Judge of the United States District Court for the Southern District of New York, at the United States Court House, Foley Square, New York, N.Y., this day of September, 1973.

Clerk, United States District Court
Southern District of New York

The within writ is hereby allowed.

United States District Judge

FILED
U.S. DISTRICT COURT
OCT 29 4 10 PM '73
S.D. OF N.Y.

Deputy Clerk

U.S. MARSHAL, SDNY.
RECEIVED
(Crim. No. 73 Cr. 1)
(Rec. No. 9/6/73)

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Sir:

You will please take notice that a ..... of which the within is a copy, was this day duly entered in the within entitled action, in the office of the Clerk of this Court.

Dated, N. Y., ..., 19.....

Yours, etc.,

.....
United States Attorney
Attorney for .....

To

.....
Attorney for .....

Sir:

Please take notice that the within ..... will be presented for settlement and signature to the Honorable ..... United States District Judge, at the office of the Clerk, Room 601, United States Courthouse, Foley Square, Borough of Manhattan, City of New York, on the ..... day of ....., 19....., at 10:30 o'clock in the ..... noon, or as soon thereafter as counsel can be heard.

Dated, N. Y., ..., 19.....

Yours, etc.,

.....
United States Attorney
Attorney for .....

To

.....
Attorney for .....

Form No. USA-33s-370
(Rev. 10-25-65)

United States District Court

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ROBERT RIPPY a/k/a "Ripp",
Id No. 132615

Defendant.

WRIT OF HABEAS CORPUS AD PROSEQUENDUM

73 Cr. 606

PAUL J. CURRAN

TEL. 264-[illegible]
6425

United States Attorney
Attorney for U.S.A.

Due service of a copy of the within is hereby admitted.

New York, ..., 19.....

.....
Attorney for

To

.....
Attorney for

FF1—GPO—1-13-70—3M6—(839)

I hereby certify and attest that I received the [illegible]
on the 6th day of September 1973 and executed same by
summoning the within named Robert Kipper from the D. C. Jail
and bringing him before Robert Schmidt Notary Public
at that place on the 6th day of September 1973.

[illegible]
[illegible]
[illegible]

SEP 1 1973

SEP 1 1973

Sept. 17, 1973

[illegible]

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73-1865

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- x

UNITED STATES OF AMERICA :

-v- :

THOMAS JOSEPH CARROLL, : 73 Cr. 606
JOHN DOE a/k/a "Jack",
VINCENT MC CLUSKEY a/k/a "Mike", :
ROBERT E. RIPPY a/k/a "Ripp",
CHESTER CRAWFORD, :
PAUL CRAWFORD,
TERRENCE DEWEY MYERS and :
GEOFFREY MATTHEWS MANN,
:
Defendants.

- x

GOVERNMENT'S REQUESTS TO CHARGE

The Government respectfully requests the Court to include the following in its charge to the jury:

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INDEX
(to Requests to Charge)

1. Jury's Province to Determine Facts

2. Multiple Defendant - Multiple Count Indictment

3. Count One - the indictment

4. The Conspiracy, the statute.

5. Definition of conspiracy

6. Object of the Conspiracy statute.

7. Elements of the crime of Conspiracy

8. First element - existence of the Conspiracy

9. Second element - membership in the Conspiracy

10. Third element - overt act

11. Overt acts charged in the indictment

12. Success of conspiracy immaterial

13. Duration of conspiracy not material

14. Liability for acts and statements of co-conspirators

15. Count Two - The indictment

16. Murder, the statute

17. Murder, elements of the crime

18. "Unlawful killing" defined

19. "Malice aforethought" defined

20. "Robbery" defined

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INDEX (Continued)

21. Count Three - the indictment

22. Assault, the statute

23. Assault, elements of the crime.

24. "Assault" defined.

25. Accomplice testimony

26. Aiding and abetting, the statute

27. Aiding and abetting, explained

28. "Pinkerton" Charge

29. Miscellaneous Requests

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REQUEST NO. 1

Jury's Province to Determine Facts

We now come to that part of the case where the evidence is in, the lawyers have presented their arguments, and you are about to decide the fact issues that are in the case. You are the sole and exclusive judges of the facts. You pass upon the weight of the evidence. You determine the credibility of witnesses. You resolve such conflicts as there may be in the evidence and you draw such reasonable inferences as may be warranted by the testimony or exhibits in the case. I shall later refer to how you determine credibility of witnesses.

My function at this point is to instruct you as to the law that is applicable to the case. It is your duty to accept the law as I state it to you in these instructions, and to apply it to the facts as you find them. The logical result of that application is the verdict in the case.

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Jury's Province to Determine Facts

With respect to any fact matter, it is your recollection and yours alone that governs. Anything that counsel, either for the Government or the defense may have said with respect to matters in evidence during the trial in question, in colloquy with the Court, in argument, or in summation, is not to be substituted for your own recollection of the evidence.

So, too, anything the Court may have said during the trial, or may refer to during the course of these instructions, as to any factual matter in evidence, is not to be taken in lieu of your own recollection.

As I have instructed you so often during this trial, the case must be decided by you upon the sworn testimony of the witnesses, any stipulations entered into among counsel and such exhibits as were received in evidence.

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REQUEST NO. 1 (Continued) -3-

Jury's Province to Determine Facts

From the charge of Judge Weinfeld in:

United States v. Kahaner, aff'd,
317 F. 2d 459 (2d Cir. 1963),
cert. denied, 375 U.S. 836 (1963), at
pp. 763a-64a, Appellant Keogh's Appendix.
(All subsequent page references in
Kahaner are to Appellant Keogh's Appendix.)

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REQUEST NO. 2

Multiple Defendant - Multiple Count Indictment

The indictment in this case contains three counts. Each count charges a separate crime against each named defendant and must be considered separately.

Although the indictment names _____ defendants, only _____ defendants are on trial before you. They are the only persons whose guilt or innocence you must announce in your verdict. However, in considering their guilt or innocence you may have to determine the nature of the participation, if any, of the others.

In the determination of guilt or innocence, you must bear in mind that guilt is personal. The guilt or innocence of each defendant on trial before you must be determined solely on the evidence presented against him, or the lack of such evidence. The case of each defendant stands or falls upon the proof or lack of proof of the charge against him, and not of the charge against somebody else.

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Multiple Defendant - Multiple Count Indictment

Therefore, although some persons named in the indictment may have pleaded guilty, such guilty pleas are not evidence of the guilt of any other defendant or evidence that the crimes charged were committed. Such guilty pleas may not be considered by you in any respect. Nor may any adverse inference be drawn against the defendants by reason thereof. The guilt or innocence of a defendant on trial must be determined by the jury beyond a reasonable doubt solely on the evidence introduced against such defendant, or the lack thereof, and not on the basis of evidence, or the lack of evidence, against somebody else.

From the charge of the Honorable Charles H. Tenney in United States v. Maxwell, 383 F.2d 437 (2d Cir. 1967) (at pp. 1635-6 of the trial transcript.)

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Grant

REQUEST NO. 3

Count One in the Indictment

Count One in the Indictment reads as follows:

[Read Count One in the
Indictment]

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Proposed

REQUEST NO. 4

Conspiracy - The Statute

Section 371, Title 18, United States Code, provides in pertinent part as follows:

> "If two or more persons conspire ... to commit any offense against the United States ... or any agency thereof ... and one or more of such persons do any act to effect the object of the conspiracy, each ... [person commits a crime]."

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REQUEST NO. 5

Definition of Conspiracy

Now, let us consider what is a conspiracy. The idea of a conspiracy is simple.

A conspiracy is a combination, agreement or understanding of two or more persons, by concerted action, to accomplish a criminal or unlawful purpose, in this instance to rob a United States Postal Service mail truck and steal mail matter. The gist of the crime is the unlawful combination or agreement to violate the law.

The success or failure of the conspiracy is immaterial to the question of guilt or innocence of a conspirator.

To establish a conspiracy, the Government is not required to show that two or more persons sat around a table and entered into a solemn pact, orally or in writing, stating they have formed a conspiracy to violate the law, or the details or the means by which its object was to be achieved. Common sense will tell you that when persons

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Definition of Conspiracy

in fact undertake to enter into a criminal conspiracy, much is left as to the unexpressed understanding.

What the evidence must show in order to establish that a conspiracy existed is that members in some way or manner, through any contrivance, impliedly or tacitly, came to a common understanding to violate the law or to accomplish an unlawful plan.

In determining whether there has been an unlawful agreement, you may judge acts and conduct of the alleged co-conspirators which are done to carry out an apparent criminal purpose. The adage "Actions speak louder than words" is applicable here.

Usually, the only evidence available is that of disconnected acts and conduct on the part of the alleged individual conspirators, which acts and conduct, however, when taken together in connection with each other, and,

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Definition of Conspiracy

considered as a whole, permit an inference that a conspiracy existed as conclusively as direct proof.

In short, items of evidence are to be viewed not in isolation, but in conjunction with one another and upon the totality of all the evidence.

A conspiracy has sometimes been called a partnership for criminal purposes, in which each member becomes the agent of the other.

To become a member of a conspiracy, a defendant need not know each and every other member, nor of the participation by other members, nor all the details of the conspiracy.

Each member of a conspiracy may perform separate and distinct acts, at different times, and at different places.

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Definition of Conspiracy

Some conspirators may play major roles, while others play minor parts. Thus, the guilt of a conspirator is not governed by the extent, duration, or whether he played a greater or lesser role in the conspiracy. Even if one joined the conspiracy after it was formed and was engaged in it to a degree more limited than that of other co-conspirators, that person is equally culpable, so long as he was a co-conspirator. In a word, it is not required that a person be a member of the conspiracy from its very start. He may join it at any point during its progress, and be held responsible for all that has been done before he joined, and that may be done thereafter, during its existence and while he remains a member.

REQUEST NO. 5 (Continued) -5-

Definition of Conspiracy

A conspiracy, once formed, is presumed to have continued until its objectives are accomplished or there is an affirmative act of termination by its members, or otherwise terminated, as, for example, by police interception. So, too, once a person is found to be a member of a conspiracy, he is presumed to continue his membership therein until its termination unless there is affirmative proof offered of withdrawal or disassociation.

You must first determine whether or not the proof established the existence of the conspiracy as charged in the indictment.

Weinfeld, J., United States v. Louis Cirillo, a/k/a Louis Schiotis, a/k/a Louie (72 Civ. 309, S.D.N.Y.) (trial transcript, pp. 985-989).

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REQUEST NO. 6

Conspiracy - Object of the Statute

Conspiracy, sometimes called collective criminal agreement or partnership in crime, presents a greater potential threat to the public than the lone wrongdoer. If two or more persons conspire or combine together to commit or cause to be committed a breach of the criminal laws of the United States, it is an offense of grave character. Concerted action for criminal purposes often, if not normally, makes possible the attainment of ends more complex than those which an individual, acting alone, would accomplish. Group associations increase the likelihood that the criminal object will be successfully realized, and renders detection more difficult than in the instance of a sole wrongdoer.

It was because of these, and other reasons, that Congress made conspiracy, or concerted action, to violate Federal law a crime, entirely separate, distinct and different from the substantive law the violation of which may be the object of the conspiracy.

Adapted from the charge of Edward Weinfeld in United States v. Kahaner, Appendix of appellant Keogh pp. 769a-70a, aff'd 317 F.2d 459 (2d Cir. 1963), cert. denied, 375 U.S. 836 (1963).

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REQUEST NO. 7

Elements of the Crime of Conspiracy

In order to find a defendant guilty of conspiracy as charged in the first count of the indictment, you must find beyond a reasonable doubt that:

First: During the period beginning January 1, 1973, and ending June 19, 1973, an agreement existed between the defendant and at least one other person, not necessarily a person on trial before you today, and that it was an object of that agreement to commit the robbery of a United States Postal Service mail truck and its contents.

Second: The defendant knowingly associated himself with the conspiracy and participated in it.

Third: One of the co-conspirators knowingly committed at least one of the overt acts set forth in the indictment at or about the time and place alleged.

Adapted from the charge of Judge Edward Weinfeld in United States v. Kahaner, Appellant Keogh's Appendix, p. 778a, aff'd., 317 F.2d 459 (2d Cir. 1963), cert. denied, 375 U.S. 836 (1963); and the charge of Judge William B. Herlands in United States v. Agueci, et al., pp. 131a-32a of Appellant's Joint Appendix, aff'd 310 F.2d 817 (2d Cir.), cert. denied, 372 U.S. 959 (1962).

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REQUEST NO. 8

Existence of Conspiracy

The first of the elements, as I have listed them, presents you with the basic question whether there was a conspiracy of the kind alleged by the Government. You must understand for this purpose the definition of the concept of conspiracy in our law. A conspiracy is a combination or agreement of two or more persons by concerted action to accomplish a criminal or unlawful purpose.

The unlawful combination or agreement to violate the law is the gist of this crime. It is often said in an effort to make this conception lively for lawyers or members of the jury generally that a conspiracy is a partnership in crime, a partnership in which each member of the conspiracy functions as the agent of every other member.

It is not necessary, obviously, that the Government prove a formal agreement of partnership, an arrangement of the kind you would expect in a lawful, usual sense of those words. Your experience will tell you that when men in fact enter upon criminal conspiracy, much is left to an informal and tacit understanding. So it is sufficient to prove a conspiracy if the pro-

Existence of Conspiracy

section establishes that two or more persons in any manner, through any contrivance, expressly or tacitly, came to a common understanding to violate the law.

Explicit language or explicit words are not required to indicate assent or attachment to a conspiracy.

In determining whether this charge has been made out in the present case, you should judge the total picture of acts and conduct of the alleged conspirators which is claimed to have comprised the unlawful agreement for the allegedly unlawful purposes.

Under our law it is not necessary that all the conspirators originally conceived the conspiracy or participated in its creation or inception. Those who come in later with knowledge of the aims and purposes of the conspiracy and who cooperate in the common effort to attain the unlawful results become parties thereto.

A conspiracy is not ended as long as the evidence shows the intention of the conspirators to continue it. So, in appraising the first count in the indictment, you will piece

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Existence of Conspiracy

together the evidence as a composite picture to determine whether as a reasonable inference from the sum total of all the acts about which you have heard you are persuaded beyond a reasonable doubt that the minds of these defendants or of any of them and others met in an understanding way in agreement to achieve any of the unlawful objectives charged in the indictment, that is the robbery of an United States Postal Service mail truck and its contents.

(Adapted from the charge of the Honorable Marvin E. Frankel in United States v. Lovano, 67 Cr. 526, aff'd. 420 F.2d 769 (2d Cir. 1970), cert. denied, 397 U.S. 1071 (1970).)

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REQUEST NO. 9

Participation in the Conspiracy

Once satisfied that the conspiracy charged existed, you must ask yourself who its members were. In deciding whether a defendant was a member of the conspiracy, you should consider whether all of the evidence establishes that defendant knowingly and purposely entered the conspiracy.

In determining whether a defendant became a member of the conspiracy, you must determine not only whether he participated in it, but whether he did so with knowledge of its unlawful purpose, did so with awareness of at least some of the basic aims and purposes of the conspiracy.

Knowledge is a matter of inference from facts proved. It is not necessary that the defendant be fully informed of the details of the scope of the conspiracy in order to justify any inference of knowledge on his part. To have guilty knowledge, the defendant need not know the full extent of the conspiracy and all of its activities and actors.

I want to caution you that mere association with one or more of the conspirators does not make one a member of the conspiracy. Nor is knowledge without participation sufficient.

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REQUEST NO. 9 (Cont'd) - 2 -

Participation in the Conspiracy

What is necessary is that the defendant participate with knowledge of at least some of the purposes of the conspiracy and with intent to aid the accomplishment of these unlawful ends.

United States v. Nuccio, 373 F.2d 168 (2d Cir. 1967), cert. denied, 387 U.S. 906 (1967); Judge Palmieri's charge in United States v. Binstock, 64 Cr. 655 (S.D.N.Y. 1967) pp. 1522-26, Stenographer's Trial Minutes; Judge Murphy's charge in United States v. Buff, 64 Cr. 852 (S.D.N.Y. 1967) pp. 10-11 of Trial Transcript; Judge Palmieri's charge in United States v. Wolfson, 66 Cr. 720.

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REQUEST NO. 10

Overt Acts

Now we come to the third element you must consider (assuming you have found that the conspiracy existed, and had as one of its objects the robbery of an United States Postal Service mail truck or its contents), that is, the requirement of an overt act. You may **not** find a defendant guilty of conspiracy unless and until you are convinced that at least one overt act as charged in the indictment was committed by at least one of the conspirators.

The offense of conspiracy is complete when the unlawful agreement is made and any overt act is done by a conspirator to effect the object of the conspiracy. Hence, the overt act required is one which furthers the objectives or purposes of the conspiracy. It does not have to be a criminal act or an act which, of itself, constitutes an objective of the conspiracy; it may be an act which is innocent on its face, but it must be of such character that it furthers, or promotes or aids and assists in accomplishing a purpose of the conspiracy.

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REQUEST NO. 10 (Cont'd) - 2 -

Overt Acts

It is not necessary for you to find that all of the alleged overt acts charged in the indictment were committed. Nor is it necessary that an overt act implicates the defendants on trial before you. Nor do you have to find that all of the defendants had something to do with the overt act committed. It is enough if you find that at least one of the named overt acts charged in the indictment was committed by any one of the conspirators in furtherance of the conspiracy.

Adapted from charge of Judge William B. Herlands in United States v. Agueci, 310 F.2d 817 (2d Cir. 1962), cert. denied, 372 U.S. 959 (1963).

United States v. Stromberg, 268 F.2d 256 (2d Cir.), cert. denied, 361 U.S. 863 (1959).

Braverman v. United States, 317 U.S. 49, 53 (1942).

Dealy v. United States, 152 U.S. 539 (1894).

Bannon and Mulkey v. United States, 156 U.S. 464 (1895).

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REQUEST NO. 11

Particular Overt Acts Charged

I will now read to you the overt acts which are charged in the indictment; the Government must prove that at least one of these overt acts were committed in furtherance of the conspiracy.

[Read "Overt Acts", Count One.]

If you find that any one of these acts was done, and that it was done in furtherance of the conspiracy charged, then this requirement has been satisfied.

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REQUEST NO. 12

Success of Conspiracy Immaterial

The offense of conspiracy is complete when the unlawful agreement is made and any single overt act in furtherance of the conspiracy is committed by at least one of the conspirators. It is not necessary for completion of this crime that the conspirators succeed in carrying out one or more of the unlawful purposes. At the same time, evidence that one or more such purposes were achieved, may, of course, be considered by you as evidence of the existence of the conspiracy aimed at such objectives.

Adapted from United States v. Lovano, 67 Cr. 526, aff'd. 420 F.2d 769 (2d Cir. 1970), cert. den. 397 U.S. 1071 (1970).

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REQUEST NO. 13

Duration of Conspiracy Not Material

The indictment alleges that the conspiracy commenced on or about January 1st, 1973 and continued up to and including the date of the filing of the indictment which was June 19th, 1973. The government, however, is not required to prove that the alleged conspiracy existed over the whole course of time set out in the indictment. If you find that at any time within that period all of the elements of the alleged conspiracy have been demonstrated to your satisfaction, that is sufficient.

The fact that the government may not have proved the conspiracy was carried on as early or as long as the indictment alleges is in itself not of controlling importance so far as the elements of the crime are concerned.

Adapted from United States v. Maxwell, 383 F.2d 437 (2d Cir. 1967) (at pp. 1669-70 of the trial transcript).

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REQUEST NO. 14

Liability for Acts and Statements of Co-Conspirators

As I have already mentioned, conspiracy is sometimes called a partnership in crime. And just like other partnerships, when people enter into a conspiracy to accomplish an unlawful end, they become agents for one another in carrying out the conspiracy. Hence the acts or declarations of one in the course of the conspiracy and in furtherance of the common purpose are deemed to be the acts of all, and all are responsible for such acts.

Accordingly, if you find, in accordance with these instructions, that the alleged conspiracy existed and that some or all of the defendants or alleged co-conspirators were participants in it, then acts done and statements and declarations made in furtherance of the conspiracy by the persons found by you to have been members of the conspiracy may be considered against the defendants whom you find were members, even though such acts or declarations were made in the absence of, and without the knowledge of those defendants.

It is important to note that this principle applies

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73-1865

REQUEST NO. 14 (Cont'd) -2-

only to the acts and declarations done or made during the continuance of the conspiracy and in furtherance of, that is, to carry out, an unlawful objective or purpose of the conspiracy. It does not apply to acts or declarations which do not have these characteristics.

Adapted from the charge of Judge William B. Herlands in United States v. Agucci, 310 F.2d 817 (2d Cir. 1962); cert. denied, 372 U.S. 959 (1963).

United States v. Stromberg, 268 F.2d 256 (2d Cir.), cert. denied, 372 U.S. 363 (1959).

United States v. Nuccio, 373 F.2d 168 (2d Cir. 1967), cert. denied, 387 U.S. 906 (1967).

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73-1865

REQUEST NO. 15

Count Two in the Indictment

Count Two in the Indictment reads as follows:

[Read Count Two in the Indictment]

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73-1865

REQUEST NO. 16

Murder: The Statute

Section 1111 of Title 18, United States Code, provides in pertinent part as follows:

> "Murder is the unlawful killing of a human being with malice aforethought. Every murder . . . committed in the perpetration of, or attempt to perpetrate, any . . . robbery . . . is murder in the first degree."

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REQUEST NO. 17

Elements of the Crime of Murder

In order to find a defendant guilty of murder as charged in the Second Count of the Indictment, you must find beyond a reasonable doubt that:

First: The defendant did unlawfully kill William Hickey:

Second: The killing was done with malice aforethought;

Third: The killing was committed in the perpetration of, or attempt to perpetrate, a robbery; and that

Fourth: William Hickey was an employee of the Postal Service and was killed while engaged in the performance of his official duties, or on account of the performance of his official duties.

Title 18, United States Code, Sections 1111, 1114

JJK:js
73-1865

REQUEST NO. 17

Elements of the Crime of Murder

In order to find a defendant guilty of murder as charged in the Second Count of the Indictment, you must find beyond a reasonable doubt that:

First: The defendant did unlawfully kill William Hickey;

Second. The killing was done with malice aforethought; and

Third: The killing was committed in the perpetration of, or attempt to perpetrate, a robbery.

Title 18, United States Code, Section 1111.

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REQUEST NO. 18

Definition of Unlawful Killing

The word "unlawful" means simply contrary to law. To commit an "unlawful" killing of a human being means to kill without just cause or excuse.

Adapted from the charge of Judge Herlands in:

United States v. Garfield, 61 Cr. 671 & 61 Cr. 694. (Tr. 26414-26418), aff'd. sub nom.: United States v. Dardi, 330 F.2d 316 (2d Cir. 1964), cert. denied, 379 U.S. 845 (1964).

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REQUEST NO. 19

"Definition of Malice Aforethought"

"Malice" is a state of mind showing a heart regardless of the life and safety of others, a mind deliberately bent on mischief, a generally depraved, wicked and malicious spirit. "Malice" may also be defined as the condition of mind which prompts a person to do wilfuly, that is, on purpose, without adequate provocation, justification, or excuse, a wrongful act whose foreseeable consequences include death or serious bodily injury to another.

United States v. Bush, 416 F.2d 823, 826 (D.C. Cir. 1969)

The existence of malice, if any, must be inferred from the evidence produced during this trial of the circumstances leading up to and surrounding the killing of William Hickey. Malice may be found in conduct evidencing a "wanton disregard of human life" coupled with an awareness by the accused of the serious danger to life caused by that conduct.

Stevenson v. United States, 162 U.S. 313, 320 (1895); Carter v. United States, 437 F.2d 692, 696, n.18 (D.C. Cir. 1970), cert. den., 402 U.S. 912 (1971).

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75-1665

REQUEST NO. 19 (Cont'd) -2-

If you find from the evidence before you that a defendant prepared himself or another with a pistol or revolver for the purpose of using it to commit a robbery, you may draw the inference that that defendant had malice aforethought.

Adapted from the charge of Parker, J., United States v. Boyd, 45 F. 851, 859 (C.C. W.D. ARK. 1890) rev'd on other grounds 142 U.S. 450 (1892); United States v. Beverley, 416 F.2d 263, 264 (9th Cir. 1969); Mitchell v. United States, 434 F.2d 482, 489, n.10 (D.C. Cir. 1970), cert. den. 400 U.S. 867 (1970).

JJK:js
73 1865

REQUEST NO. 20

Definition of Robbery

The term "robbery" is defined as the taking of property in the possession of another, from his person or immediate presence, and against his will, accomplished by means of force or fear.

Black, Henry Campbell, Black's Law Dictionary, (4th Ed. 1951; ed.: Publisher's Editorial Staff); See also Title 18, United States Code, Section 1951(b).

JJK:ais
73-1865

REQUEST NO. 21

Count Three in the Indictment

Count Three in the Indictment reads as follows:

[READ COUNT THREE IN THE INDICTMENT]

JJK:ais
73-1865

REQUEST NO. 22

The Statute

Section 2114 of Title 18, United States Code provides in pertinent part, as follows:

> "Whoever assaults any person having lawful charge, control, or custody of any mail matter or of any money or other property of the United States, with intent to rob, steal, or purloin such mail matter, money, or other property of the United States, or robs any such person of mail matter, or of any money, or other property of the United States, . . .; and if in effecting or attempting to effect such robbery he wounds the person having custody of such mail, money, or other property of the United States, or puts his life in jeopardy by the use of a dangerous weapon [commits a crime] . . . "

2474a

JJK:ais
73-1865

REQUEST NO. 23

Elements of the Offense

In order to find a defendant guilty of the crime charged in the Third Count of the Indictment, you must find beyond a reasonable doubt that:

First: Crawford Lawrence had lawful charge, control, or custody of mail matter or of money or other property of the United States;

Second: The defendant assaulted Crawford Lawrence while he had such lawful charge, control or custody;

Third: The defendant intended to rob Crawford Lawrence of such mail matter or money or other property of the United States; and

Fourth: That the defendant wounded Crawford Lawrence or put his life in jeopardy in attempting to effect such robbery.

JJK:ais
73-1865

REQUEST NO. 24

Definition of "Assault"

A person commits an assault when he shoots at another or points a revolver at another, or forcibly ejects a person having custody of the mail from a mail truck and thereby creates a reasonable apprehension of harm in the victim.

United States v. Donovan, 242 F. 2d 61 (2d Cir. 1957); United States v. Reeves, 38 F. 404, 408-09 (C.C.,W.D. Tex. 1889).

JJK:ais
73-1865

REQUEST NO. 25

Accomplice's Testimony

Some of the Government witnesses were admittedly participants in the crimes charged in the indictment. The Government frequently must use such testimony because otherwise it would be difficult or impossible to detect or prosecute wrongdoers.

See charge of Judge Weinfeld in United States v. Norma Hill, delivered February 21, 1957.

The testimony of an accomplice is not to be rejected unless the jury thinks it has no weight. Like any other fact it is to be taken up and dealt with by the jury -- by you who are the triers of the facts. If accomplices could not be used, there are many cases where there is real guilt and where convictions should be had, where convictions would not be obtainable. Their evidence is properly considered by the jury. Their testimony must, however, be received with caution and weighed with care.

From the charge in Silkworth v. United States, 10 F.2d 711 (2d Cir. 1926); United States v. Marks, 368 F.2d 566 (2d Cir. 1966); United States v. Mattio, Dkt. No. 30946 (2d Cir. Jan. 9, 1968).

JJK:ais
73-1865

REQUEST NO. 25 (Cont'd.) - 2

Accomplice's Testimony

It is the universal rule in the federal courts that defendants may be convicted on the uncorroborated testimony of an accomplice.

> Erber v. United States, 234 Fed. 221 (2d Cir. 1916); Carminetti v. United States, 242 U.S. 470 (1917); United States v. Marks, supra; United States v. Phillips, Docket No. 33928 (2d Cir. March 24, 1970).

JJK:ais
73-1865

REQUEST NO. 26

Aiding and Abetting Statute
18 U.S.C. § 2

The government also relies here on what has been known as the aiding and abetting statute. That statute, Section 2, Title 18, United States Code, provides as follows:

> "(a) Whoever commits an offense against the United States or aids, abets, counsels, commands, induces or procures its commission, is punishable as a principal.
>
> "(b) Whoever wilfully causes an act to be done which if directly performed by him or another would be an offense against the United States, is punishable as a principal."
>
> (Section 2, Title 18, United States Code.)

JJK:ais
73-1865

Voyd

REQUEST NO. 27

Aiding and Abetting

It is not necessary for the Government to show that each defendant physically killed William Hickey or assaulted and wounded or jeopardized the life of Crawford Lawrence. You will recall that Section 2 of Title 18, United States Code, which I read to you provides that a person who aids and abets another to commit an offense is just as guilty of that offense, as if he committed it himself. Accordingly, you may find a defendant guilty of the offenses charged if you find beyond a reasonable doubt that another person in this case, Myers or Mann, committed the offense and that a defendant aided and abetted him.

To determine whether a defendant aided and abetted the commission of an offense, ask yourselves these questions: Did he associate himself with the venture? Did he participate in it as something he wished to bring about? Did he seek by his action to make it succeed? If he did, then he is an aider and abettor.

United States v. Peoni, 100 F.2d 401, 402 (2d Cir. 1938; L. Hand, J.); United States v. Umans, 368 F.2d 725 (2d Cir. 1966), cert.dismissed as improvidently granted, 389 U.S. 80 (1967), reh-den. 389 U.S. 1025 (1967).

REQUEST NO. 28

"Pinkerton" Charge

In addition, the Government relies on a theory of law entirely separate and independent of the aiding and abetting statute about which I have just charged you. It contends that each defendant is guilty of the substantive offenses charged in counts two and three in the indictment because they were committed in furtherance of and during the course of the unlawful conspiracy of which each defendant was a member.

You will recall that I told you that a conspirator is liable for the acts and statements of his coconspirators provided they were made within the scope of the unlawful agreement as he saw it, during the pendency of the conspiracy, and in furtherance of its objectives.

To find the defendant guilty of the crime charged, you must find beyond a reasonable doubt:

First: That another person, in this case Myers or Mann, is guilty of the crime charged and was a member of the conspiracy;

JJK:ais
73-1865

"Pinkerton" Charge

Second: That the defendant was a member of the conspiracy; and

Third: That the crime was committed in furtherance of the conspiracy or its object.

Pinkerton v. United States, 328 U.S. 640, 645 n. 6 (1946); United States v. Edwards, 366 F.2d 853, 869 (2d Cir. 1966), cert. denied, 386 U.S. 908 (1967).

JJK:ais
73-1865

REQUEST NO. 29

Miscellaneous Requests

The Government respectfully requests the Court to marshal the evidence and to include the following standard charges in its charge to the jury:

1. Unlawfully, wilfully and knowingly
2. Credibility of witnesses
3. Circumstantial evidence
4. Reasonable doubt
5. Defendant's testimony (requested only if a defendant testifies.)
6. Possible punishment
7. Protection of the public
8. Verdict must be unanimous.

Respectfully submitted,

PAUL J. CURRAN
United States Attorney for the
Southern District of New York
Attorney for the United States
of America.

JOHN J. KENNEY
MICHAEL Q. CAREY
Assistant United States Attorneys
Of Counsel.

Form 280 A - Affidavit of Service by mail

AFFIDAVIT OF MAILING

State of New York)
County of New York)

I Julia M. Smalls being duly sworn, deposes and says that she is employed in the office of the United States Attorney for the Southern District of New York.

That on the 5th day of September, 1973 she served a copy of the within Government's Requests To Charge by placing the same in a properly postpaid franked envelope addressed:

Michael P. DiRenzo, Esq.
15 Columbus Circle
New York, New York (SEE ATTACHED)

And deponent further says that she sealed the said envelope and placed the same in the mail drop for mailing the United States Courthouse, Foley Square, Borough of Manhattan, City of New York.

Julia M. Smalls

Sworn to before me this

5th day of September, 1973

Jerrold Hoyt

Notary Public, State of New York
No. 31-0[illegible]
Qualified in [illegible] County
Certificate filed in [illegible] County
Commission Expires [illegible], 1975

Jay Goldberg, Esq.
299 Broadway
New York, New York

Frederick Hafetz, Esq.
60 East 42nd Street
New York, New York 10017

Jay Gold, Esq.
36 West 44th Street
New York, New York 10036

Joseph Klempner, Esq.
401 Broadway
New York, New York

Legal Aid Society
Federal Defenders Services Unit
15 Park Row
New York, New York
Attention: Murray Mogel, Esq.

Robert Mitchell, Esq.
51 Chambers Street
New York, New York

Jack Kaplan, Esq.
Carter Ledyard Milburn Esqs.
2 Wall Street
New York, New York

2485a

Rec'd By Hand
7 P.M. 12/19/73
MK

JJK,Jr.:cf

SUPPLEMENTAL REQUEST NO. 19A

[to be inserted before the paragraph commencing

"Malice" is a state of mind . . .]

JJK,Jr.:cf

There has been some testimony that the shooting of Hickey, the pulling of the trigger, was accidental. In order to return a verdict on count two, you need not find that Myers intended to shoot and kill Hickey when he placed the gun through the window of the truck. A person is deemed to intend the natural and probable or ordinary consequences of his acts. You must, however, determine whether the shooting occurred during the course of a robbery or an attempted robbery and whether it was done with malice aforethought. I now charge you on the element of malice aforethought.

Section 1111, Title 18, United States Code, see United States v. Boyd, 45F 851 (WD Ark 1890) rev'd on other grounds 142 U.S. 450 (1891).

Rec'd 1:35 PM
12/2/73 NK

2487a

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
----------x

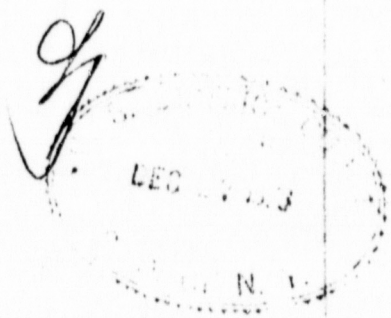
UNITED STATES OF AMERICA,

73 Cr. 606

-against-

THOMAS JOSEPH CARROLL, JOHN DOE, a/k/a "JACK", VINCENT McCLUSKEY a/k/a "MIKE", ROBERT E. RIPPY a/k/a "RIPP", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GEOFFREY MATTHEWS MANN,

Defendants.
----------x



REQUESTS TO CHARGE

Michael P. DiRenzo

MICHAEL DIRENZO
Attorney for Defendant CARROLL
15 Columbus Circle
New York, New York 10023

DONALD A. HOFFER
Attorney for Defendant
WILLIAM McCLUSKEY
29-27 41st Street
Long Island City, New York

99

Request No. 1: Multiple Defendant - Multiple Count Indictment :

Defendants request that the following paragraph be added to the Government's Request No. 2:

You are trying two indictments which have been consolidated by this Court. One of the indictments charges two defendants, William McCluskey and Harry Johnson and the other indictment charges the remaining defendants. The second indictment which charged the remaining defendants is a superceding indictment to an earlier indictment which was also a superceding indictment to the original indictment against the remaining defendants. A superceding indictment means one that followed a previous indictment.

Request No. 2

You must find that each and every defendant, whether as principal or accessory, unlawfully, willfully, knowingly and with malice aforethought did in the perpetration and/or attempted perpetration of a robbery, agree to, and did murder and kill one William Hickey, an employee of the United States Postal Service while he was engaged in or on account of the performance of his officila duties as a guard of the United States mail truck. If you do not so find, you must acquit such defendant or such defendants on the second count of the indictment herein. Unless you find all of the elements which I have enumerated against such defendant or defendants, you must acquit said defendant or defendants.

Request No. 3

I charge you that evidence that a defendant was in the company of, or associated with, any one or more of the perpetrators, in and of itself, standing alone without other evidence, is insufficient to connect the said defendant with the commission of the crime and you therefore must acquit.

In order to establish that a defendant is a participant, either as a principal, aider, or abettor, you must find that he knowingly and consciously participated and associated himself with the purpose of the conspiracy.

Request 4.

The adage "Actions speak louder than words" can be considered by you in determining whether there has been an unlawful agreement.

However, to justify the inference of guilt, the evidence must exclude to a moral certainty, every other reasonable hypothesis of innosence.

(Addendum to last paragraph, page 3.) But he must connect himself with and become a part of the criminal plan.

Request No. 5.

Evidence that a defendant was in the company of any one or more of the perpetrators, in and of itself, standing alone without other evidence, is insufficient to connect the said defendant with the commission of the crime, and you therefore must acquit.

In order to establish that a defendant is a participant, either as a principal, aider, or abetter, you must find that he knowingly and consciously participated and associated himself with the criminal purpose of the conspiracy.

Request No. 6:

If you find that any witness in this case has willfully testified falsely, as to a material fact, you as a juror have

the right to disregard that portion of the witness' testimony or you may disregard the witness' testimony in its entirety.

Request No. 7:

As jurors you are duty-bound, consonant with your oath, to listen to all of the arguments made by your fellow jurors. You may not and cannot arbitrarily take a position and stubbornly maintain your conviction or belief without heeding to reasonable arguments advanced by your fellow jurors. If, however, after you have heard all of the most convincing and persuasive arguments advanced by your fellow jurors, you still maintain a reasonable doubt, even though you are in the minority or stand alone, you must not yield your belief merely because you are in the minority.

Request No. 8:

The indictment in this case is nothing more than an accusation. It is the means by which a criminal action is commenced. To simplify it, it is similar to the service of a summons or complaint in a civil case where a demand is made. The mere fact that a summons or complaint is served does not mean that the summoned litigant is responsible and [redacted]liable.

Request No. 9:

In evaluating the evidence in this case, I instruct you that the number of witnesses called to support a contention urged by the Government is not controlling. The test is the quality of the tertimony offered by the witness and not the quantity.

Request No. 10:

I admonish you that a statement allegedly made by a non-testifying defendant is not binding on any of the other defendants, in this case; but if believed by you, it can be considered only against the declarant.

I caution, advise, and instruct you that the testimony of any testifying defendant who inculpates other defendants must be evaluated by you and treated by you with extreme care, caution and scrutiny. I also advise you that each of the testifying defendant-witnesses in this case are all interested witnesses.

Request No. 11:

I instruct you that an act attributable to a defendant in and out of itself is not to be considered by you in furthereance of the conspiracy unless you first find that the alleged conspirator in the performance of that act committed that act intending it to be a furtherance of the

criminal conspiracy.

Request No. 12:

In evaluating the act of an alleged co-conspirator, you cannot attribute liability to his alleged co-conspirator unless you find that; 1) the statement of the testifying conspirator is true, and 2) the said act is in definite furtherance of the said conspiracy.

Request No. 13: Definition of Malice or Forethought:

Defendants request the following addendum:

Malice a forethought which is an ingredient and material element of the crime of murder, requires a specific intent or a preconceived intent to bring about the unlawful killing of a human being. You must find that even as an aider or abetter, each defendant met this definition. In this regard, I charge you, that, in this case there has been testimony by a Government witness that the killing of Mr. Hickey was accidental.

Request No. 14:

I further charge that the Government witnesses have testified that there was never a plan to kill or shoot anyone.

REMAND

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	CR. No 73 Cr 606
vs	Title 18
	Sec 1114 & 2
Vincent McCluskey	OFFENSE: Murder of Postal employee
Defendant	

U.S. DISTRICT COURT FILED JAN 8 1974 S.D. OF N.Y.

PRESENT:
THE HONORABLE Metzner,J.
U.S.D.J.

6-25-73 Deft.(atty. present) Pleads not guilty. Bail fixed at $ 200,000.
Deft. remanded in lieu of bail.

XXXX

REMAND

U.S. DISTRICT COURT FILED JAN 22 1974

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	CR. No 73 Cr 606
vs	Title 18
	Sec 1114 & 2
Thomas Joseph Carroll	OFFENSE: Murder of Postal employee
Defendant	

PRESENT:
THE HONORABLE Metzner, J.
U.S.D.J.

6-25-73 Deft.(atty. present) Pleads not guilty. Bail fixed at$200,000.
Deft. remanded inlieu of bail.

XXXX

REMAND

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT FILED JAN 22 1974 S.D. OF N.Y.

UNITED STATES OF AMERICA	Ind. No 73 Cr 606
vs	Title 18
	Sec 1114 & 2
Terrence Dewey Myers	OFFENSE: Murder of Postal employee
Defendant	

PRESENT:
THE HONORABLE Metzner,J.
U.S.D.J.

6-25-73 Deft.(atty. present) Pleads not guilty. Bail fixed at $250,000.
Deft. remanded in lieu of bail.

xxxx

REMAND

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT FILED JAN 22 1974 S.D. OF N.Y.

UNITED STATES OF AMERICA	No 73 Cr 606
vs	Title 18
	Sec 1114 & 2
Geoffrey Matthews Mann	OFFENSE: Murder of Postal employee
Defendant	

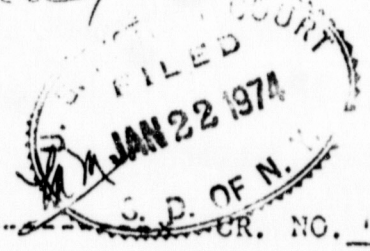
PRESENT:
THE HONORABLE Metzner,J.
U.S.D.J.

6-25-73. Deft.(atty. present) Pleads not guilty. Bail fixed at $250,000. Deft. remanded in lieu of bail.

XXXX

2498a

REMAND



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CR. NO.

UNITED STATES OF AMERICA

vs

PAUL CRAWFORD

Defendant.

TITLE 18

SEC. 371, 1111 & 2
2114 & 2

OFFENSE:
POSTAL (MURDER)

PRESENT:
THE HONORABLE Charles M. Metzner
U.S.D.J.

Pleads not guilty.

On the motion of United States Attorney, bail is fixed in the sum of $35,000.

ORDERED that the prisoner be remanded to the custody of the United States Marshal in lieu of bail.

AN EXTRACT OF THE MINUTES

June 20, 1973

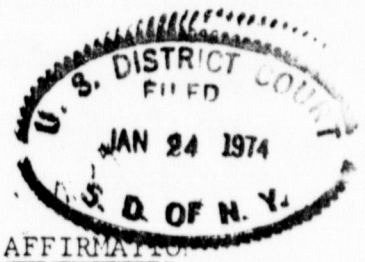
RAYMOND F. BURGHARDT
[illegible] E. ANDREWS
Clerk

by
DEPUTY CLERK
SOUTHERN DISTRICT OF NEW YORK

U.S. MARSHAL, SDNY.
ORIGINAL

Int'l

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



- x

UNITED STATES OF AMERICA :

-v- : AFFIRMATION

ROBERT RIPPY, :

Defendant. : 73 Cr. 606 and 855

- x

FREDERICK P. HAFETZ, a member of the Bar of the State of New York, hereby affirms under penalty of perjury:

1. I am assigned counsel for defendant Robert Rippy in the above case pursuant to the Criminal Justice Act. Defendant was charged with murder in the first degree, assault on a postal employee and conspiracy to rob a mail truck. After trial with a jury, he was acquitted on all charges.

2. This affirmation is submitted in support of my claim for compensation set forth in the accompanying CJA form 20.

3. As to court time set forth in I.B.:

August 6	1 hour	Argument on pre-trial motions for discovery
September 12	1/2 hour	Hearing on motion to suppress defendant's statement
November 7	1 hour	Hearing on request for adjournment of trial

4. As to the court time set forth in I.E.:

September 17	3 hours	Proceedings relating to entry of pleas of guilty of co-defendants and other matters
December 10-14	25 hours (5 hours each day)	Trial
December 17	6-1/2 hours	Trial
December 18	6-1/2 hours	Trial
December 19	6-1/2 hours	Trial

December 20	7 hours	Trial
December 21	3/4 hour	Hearing on request to charge
December 24	4-1/2 hours	Trial
December 26	10 hours	Trial

5. As to out of court time set forth in II.A.:

Conferences with defendant:

June 27	2 hours
September 12	1 hour
September 13	2 hours
September 14	2 hours
December 7	1/4 hour

Conferences with co-counsel, investigator assigned to defendant and prosecutor:

July 3	1/2 hour
July 5	1 hour
July 27	1-1/2 hours
July 30	1/2 hour
August 6	1/2 hour
August 15	1/2 hour
September 5	1/2 hour
September 18	3/4 hour

6. As to out of court time set forth in II.C.:

July 9	3 hours	Preparation of pre-trial motions
July 30	3 hours	Further work on pre-trial motions
September 11	6 hours	Research on substantive issues and trial preparation
September 14	1/2 hour	Research and trial preparation
September 15	4 hours	Research on substantive issues and research for preparation of motion to dismiss
October 23	3 hours	Preparation of motion for dismissal and memorandum in support thereof
December 1	1 hour	Preparation of request to charge

December 9	1 hour	Review for trial preparation
December 14	1-1/2 hours	Research on substantive issues
December 18	1 hour	Research on substantive issues

7. As to out of court time set forth in II.D.:

December 10	2 hours	Trial preparation, review of trial material
December 11	1 hour	Trial preparation, review of trial material
December 12	1-1/2 hours	Trial preparation, review of trial material
December 13	1 hour	Trial preparation, review of trial material
December 15	1 hour	Trial preparation, review of trial material
December 18	1 hour	Trial preparation, review of trial material
December 22	4-1/2 hours	Preparation for summation
December 23	2 hours	Preparation for summation

8. As to out of court time set forth in II.E.(1):

This is for a total time of one (1) hour to and from court on each of 17 days: August 6, September 12, September 17, November 7, December 10-14, December 17-21, December 24, December 26.

As to travel time set forth in II.E.(2):

June 27	1 hour	Visit to West Street Prison for conference with defendant
September 12	1 hour	Visit to West Street Prison for conference with defendant
September 13	1 hour	Visit to West Street Prison for conference with defendant

September 14	1 hour	Visit to West Street Prison for conference with defendant
December 6	1 hour	Visit to Pen at SDNY Courthouse for conference with defendant (defendant not produced on this date)
December 7	1 hour	Visit to Pen at SDNY Courthouse for conference with defendant

WHEREFORE, I respectfully request that the full amount claimed for services in my CJA 20 voucher be approved.

Dated: New York, N.Y.
January 3, 1974

Frederick P. Hafetz

FREDERICK P. HAFETZ

United States v. Rippy 73 Cr. 855

Mr. Hafetz was appointed pursuant to the CJA to represent the defendant Robert Rippy who was charged with murder in the first degree (18 U.S.C. § 1111), putting in jeopardy the life of a postal employee by the use of a dangerous weapon (18 U.S.C. § 2114), and conspiracy to violate 18 U.S.C. §§ 1708 and 2114. The conspiracy count was dismissed by the court at the end of the entire case and the jury acquitted the defendant of the two substantive counts.

Aside from arraignments, argument of motions and a suppression hearing, the actual trial took twelve days. The "in court" hours are correctly stated. I have deducted from the "out of court" hours the 23 hours charged for travel time. The total compensation of $2,750 was computed in accordance with the schedule attached to the Guidelines adopted by the Judicial Council on November 2, 1972. I allowed counsel the maximum of $30 for "in court" hours in arriving at this figure.

Dated: January 8, 1974

Charles M. Metzner
U. S. D. J.

JJK:vk
73-1865

2504a

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

73 CRIM. 972

UNITED STATES OF AMERICA :

-v- : INDICTMENT

73 Cr.

WILLIAM MC CLOSKEY, a/k/a "BILLY" and HARRY JOHNSON, :

Defendants. :

U.S. DISTR CT COURT FILED OCT 17 1973 S.D. OF N.Y.

The Grand Jury charges:

1. From on or about the 1st day of January, 1973, up to and including the day of the filing of this indictment, in the Southern District of New York and elsewhere, WILLIAM MC CLOSKEY, a/k/a "BILLY" and HARRY JOHNSON, the defendants, THOMAS JOSEPH CARROLL, JOHN TURNER, a/k/a "Jack", VINCENT MC CLOSKEY, a/k/a "Mike", ROBERT E. RIPPY, a/k/a "RIPP", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GEOFFREY MATTHEWS MANN, named herein as co-conspirators but not as defendants, and others to the Grand Jury known and unknown, unlawfully, wilfully and knowingly did combine, conspire, confederate and agree together and with each other to violate Sections 1708 and 2114, Title 18, United States Code.

2.a It was a part of said conspiracy that the defendants and co-conspirators would steal and take mail bags from a letter and mail carrier and from a mail route and other authorized depository for mail matter, to wit, from a United States mail truck in violation of Section 1708, Title 18, United States Code.

2.b It was further a part of said conspiracy that the defendants and co-conspirators, in attempting to effect a robbery of persons having lawful charge, control and custody of mail matter and other property of the United States, would and did put in jeopardy the lives of the said persons by the use of dangerous weapons.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the following overt acts among others were committed in the Southern District of New York:

1. On or about the 20th day of March, 1973, CHESTER CRAWFORD, PAUL CRAWFORD and TERRENCE DEWEY MYERS went to the vicinity of Wall Street, New York, New York.

2. On or about the 22nd day of March, 1973, CHESTER CRAWFORD met with THOMAS JOSEPH CARROLL and VINCENT MC CLOSKEY, a/k/a "Mike", in the vicinity of Fulton Street, New York, New York.

3. On or about the 5th day of April, 1973, WILLIAM MC CLOSKEY a/k/a "BILLY", HARRY JOHNSON, THOMAS JOSEPH CARROLL, JOHN TURNER, a/k/a "JACK", VINCENT MC CLOSKEY, a/k/a "MIKE", CHESTER CRAWFORD, TERRENCE DEWEY MYERS and GEOFFREY MATTHEWS MANN, met at Katz's Delicatessen, Houston Street, New York, New York.

(Title 18, United States Code, Section 371.)

COUNT TWO

The Grand Jury further charges:

On or about the 5th day of April, 1973, in the Southern District of New York, WILLIAM MC CLOSKEY, a/k/a "BILLY" and HARRY JOHNSON, the defendants, unlawfully, wilfully, knowingly, with malice aforethought and in the perpetration and attempted perpetration of a robbery in

JAN 25 1974

The defendant William McCloskey with his atty and the A U S.A. present is sentenced to life in prison on count (2). Twenty five (25) years on count (3) and five years on count (1). Sentence on counts (1) and (3) to run concurrently with each other and concurrently with sentence imposed on count (2). Defendant advised of his right to appeal. Defendant is remanded to the Federal Detention Headquarters @ 427 West St., New York, N.Y pending appeal.

MJ Tyner. (EW)

violation of Title 18, United States Code, Section 2114, did murder and kill an employee of the United States Postal Service, to wit, William Hickey, while he was engaged in and on account of the performance of his official duties, to wit, the guarding of said United States mail truck.

(Title 18, United States Code, Sections 1111, 1114 and 2.)

COUNT THREE

The Grand Jury further charges:

On or about the 5th day of April, 1973, in the Southern District of New York, WILLIAM MC CLOSKEY, a/k/a "BILLY" and HARRY JOHNSON, the defendants, unlawfully, wilfully and knowingly, did assault a person, to wit, Crawford Lawrence, having lawful charge, control and custody of mail matter and of property of the United States, with intent to rob, steal and purloin such mail matter and property of the United States, and in effecting and attempting to effect such robbery, did wound and put in jeopardy the life of the said Crawford Lawrence by use of a dangerous weapon, to wit, a .32 caliber revolver.

(Sections 2114 and 2, Title 18, United States Code.)

FOREMAN

PAUL J. CURRAN
United States Attorney

DEC 18 1973 Trial continued

Metzner J

DEC 20 1973 Trial continued

Metzner J

DEC 21 1973 Trial continued

Metzner J.

DEC 24 1973 Trial continued - summations.

Metzner J

DEC 26 1973 Trial continued and concluded. Jury verdict @ 9.15 PM

The defendant William McCloskey, guilty on counts (1)-(2) and (3).

Presentence report ordered.

Sentence Jan. 25, 1974

All motions reserved for day of sentence, all papers filed by Jan. 23, 1974.

Defendant remanded

Metzner J

JAN 8 1974 Jones -

For sentencing. The defendant with his atty and the A U S A present is sentenced to four (4) years on count One (1). Counts (2) and (3) are dismissed on motion of defendant's counsel. The Court recommends incarceration [redacted] Washington, D.C. [redacted]

Defendant remanded.

Metzner J

73 CRIM. 972

Form No. USA-33s-274 (Ed. 9-25-58)

United States District Court

SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA

vs.

WILLIAM MC CLOSKEY, a/k/a
"BILLY" and HARRY JOHNSON,

Defendants.

INDICTMENT

73 Cr.

(In violation of 18 U.S.C.
§§ 371, 1111, 1114, 2114, and 2.)

PAUL J. CURRAN

United States Attorney.

A TRUE BILL

Foreman.

FTI—55—2-13-71—20M—6950

U. S. DISTR CT COURT
FILED
OCT 17 1973
S. D. OF N. Y.

JUDGE METZNER

10-17-73

Assigned to Judge Metzner as a related case to 73 Cr. 955 on his consent. So ordered

Lloyd F. MacMahon
U.S.D.J. AD

OCT 23 1973

The dfendant Harry Johnson with his atty and the A.U.S.A present. Dfendant waives reading of indictment pleads not guilty.

Motions by Nov 16, 1973.

Trial Nov 26, 1973

Bail conditions continued.

J. Metzner J.

d

OCT 24 1973 The dfendant William Mc Closkey with his atty and the A.U.S.A present. The dfendant waives reading of the indictment and pleads

over

25098

not guilty
Motions by Nov 16, 1973
Trial Nov 26, 1973
Bail conditions continued.

Metzner J.

NOV 12 1973 In the defendant Harry Johnson with his atty and the A.U.S.A present, withdraws his plea of not guilty and pleads guilty to count 1. Plea accepted. Pre sentence report ordered. Sentence Dec 17, 1973. Bail continued.

Metzner J.

DEC 10 1973 Jury empaneled and sworn. Trial begun — [redacted] (consolidated for trial w/ 73 CR 855) as to William McCloskey for trial.

Metzner J.

DEC 11 1973 Trial continued

Metzner J.

DEC 12 1973 Trial continued

DEC 13 1973 Trial continued

Metzner J.

DEC 14 1973 Trial continued

Metzner J.

DEC 17 1973 Trial continued.

Metzner J.

DEC 18 1973 Trial continued

Metzner J.

KENNEY ME. ER, J.

JUDGMENT AND COMMITMENT (Rev. 2-68) Cr. Form No. 25

United States District Court

FOR THE

SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT FILED JAN 9 1974 S.D. OF N.Y.

United States of America

v.

Harry Johnson

No. 73 cr. 972

On this 8th day of January, 1974 came the attorney for the government and the defendant appeared in person and[1] by Florence P. Shientag Esq.

IT IS ADJUDGED that the defendant upon his plea of[2] guilty and the Court being satisfied there is a factual basis for the plea

has been convicted of the offense of unlawfully, wilfully and knowingly combined, conspired, confederated and agreed with others to violate Sections 1708 and 2114, of Title 18, U.S.C., it was part of said conspiracy that the defendant would steal mail bags from a mail route and other authorized depository for mail matter to wit, a United States Mail Truck in violation of Section 1708, Title 18, U.S.C., it was further a part of said conspiracy that the defendant in attempting to effect a robbery would and did put in jeopardy the lives of said persons by the use of dangerous weapons.
(Title 18, U.S.C., Section 371.)

as charged[3] in count ONE(1)

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of[4] FOUR(4)YEARS, on count ONE(1). Counts (2) and (3) are dismissed on motion of defendant's counsel with the consent of the Government.

MICROFILM JAN 10 1974

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

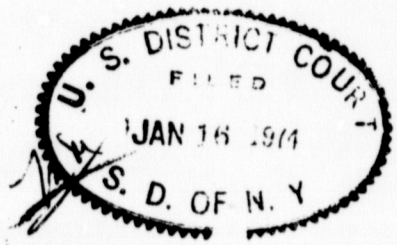
Charles H. Tenney,
United States District Judge.

The Court recommends commitment to[6]
a Federal Prison nearest Washington, D.C.

Raymond F. Burghardt,
Clerk.

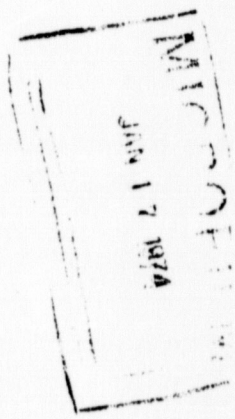
[1]Insert "by [name of counsel], counsel" or without counsel; the court advised the defendant of his rights to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel." [2]Insert (1) "guilty and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and a verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be. [3]Insert "in count(s) number ____" if required [4]Enter (1) sentence or sentences, specifying counts if any; (2) whether sentences are to run concurrently or consecutively and, if consecutively, when each term is to begin with reference to termination of preceding term or to any other outstanding unserved sentence; (3) whether defendant is to be further imprisoned until payment of the fine or fine and costs, or until he is otherwise discharged as provided by law. [5]Enter any order with respect to suspension and probation. [6]For use of Court to recommend a particular institution.

FPI MI—2-14-72 30M-7532



United States v. McCloskey and Johnson, 73 Cr. 972

The attached letter from Harry Johnson will be considered as an application for reduction of sentence.



The court very carefully reviewed the presentence report of defendant Johnson prior to sentencing on January 8, 1974. The court also had the advantage of having presided over the trial of the four defendants who pled not guilty.

Defendant Johnson states that: "I was persuaded and helped to plead guilty to taking part in a crime that I sincerely wanted to plead not guilty to." This court conducted the very careful allocution of the defendant before accepting his plea of guilty. It was made abundantly clear to the defendant from the questioning that the court wanted to be assured of the truthfulness and voluntariness of the plea. The defendant by his replies gave the court that assurance.

The record shows that on several occasions defendant Johnson met with the perpetrators of the

crime, that he was with them not only on the day that Mr. Hickey was killed, but on several prior occasions when attempts to hijack the mail truck were aborted.

The application to reduce sentence is denied.

So ordered.

Dated: New York, N. Y.
January 16, 1974

Charles H. Metzner
U. S. D. J.

Rec'd 2514a
JAN 16 1974

Harry L. Johnson 79440-158
Federal Detention Headquarters
427 West Street
New York, New York
January 11th, 1974

THE HONORABLE JUDGE METZNER
United States Federal Court House
Southern District of New York
Foley Square, New York, New York

RE: SENTENCE OR CASE REVIEW AND SENTENCE REDUCTION

Dear Judge Metzner,

On January of this year, the 8th, to be exact, I appeared before you for sentencing after having been advised to plead guilty by my lawyer to a charge of conspiricy, Your Honor, I have tried to live the 27 years of my life as a God fearing, Law abiding individual and have neverhad any really bad involvements with the police, I hanen't had the time. My family never had much money, so I worked to put mylelf through school and the last two years, I was married and had a child. Because I couldn't afford a lawyer who might have taken a more personl interest in my case and because, until this day I still don't know what really happened, I was persuaded and helped to plead guilty to taking part in a crime that I sincerely wanted to plead not guilty to. I was told that if I pleaded not guilty, I would be charged with three crimes and that if I pleaded guilty, I wouldn't. Your Honor, won't you please look at my background and record. Don't they say anything for my character? I feel, that it would destroy my faith in the system for which I have worked so hard all my life, if all I have worked so hard for and tried to do for my community, family and self dosen't count for much in the final analysis.

I respectfully ask that, for my family's sake, because my wife has lost her job due to the publicity from the case and who's already bad health is now worse, my sentence be reduced or changed so that I could work to help support her and the family while serving mt sentence, so that we won't lose our little house and everything that we've worked so hard to get. I also ask that I be placed, through a recommendation, as close to home as possible in order that I might be able to see my family from time to time. May I also have copies of the case's transcripts sent to me.

Sincerely and respectfully

Harry L. Johnson

HARRY L. JOHNSON 79440-158

CHECK MM. M.J.

JUDGMENT AND COMMITMENT (Rev. 2-68) Cr. Form No. 25a

United States District Court

FOR THE

SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT FILED JAN 22 1974 S. D. OF N.Y.

United States of America

v.

Danny Johnson

No. 73 cr. 972

On this 8th day of January, 1974 came the attorney for the government and the defendant appeared in person and[1] by Florence P. Shientag Esq.

IT IS ADJUDGED that the defendant upon his plea of[2] guilty and the Court being satisfied there is a factual basis for the plea

has been convicted of the offense of unlawfully, wilfully and knowingly combined, conspired, confederated and agreed with others to violate Sections 1708 and 2114, of Title 18, U.S.C., it was part of said conspiracy that the defendant would steal mail bags from a mail route and other authorized depository for mail matter to wit, a United States Mail Truck in violation of Section 1708, Title 18, U.S.C.,it was further a part of said conspiracy that the defendant in attempting to effect a robbery would and did put in jeopardy the lives of said persons by the use of dangerous weapons.
(Title 18, U.S.C., Section 371.)

as charged[3] in count ONE(1)

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of[4] FOUR(4)YEARS., on count ONE(1). Counts (2) and (3) are dismissed on motion of defendant's counsel with the consent of the Government.

~~IT IS ADJUDGED THAT~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

CHARLES M. METZNER
United States District Judge.

The Court recommends commitment to[6] a Federal Prison Camp at Washington, D.C.

RAYMOND F. BURGHARDT
Clerk.

A True Copy. Certified this 8th day of January, 1974

Raymond F. Burghardt (By) Jimmy Lee
Clerk. *Deputy Clerk.*

S.W. (MARSHAL'S) ORIGINAL
RIM.
SUPP. NO. Low 1-17-74

FPI:NI—3-26-73 109

MEM. ENDORSED

2516a

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x 73 CR. 855

UNITED STATES OF AMERICA

-vs-

THOMAS JOSEPH CARROLL, et al

-and-

UNITED STATES OF AMERICA

-vs-

73 CR. 972

WILLIAM McCLOSKEY, et ano.

Defendants

----------x

S. DISTRICT COURT FILED JAN 23 1974 S. D. OF N. Y.

file in cmm

PLEASE TAKE NOTICE that upon the Indictment filed herein and on all of the pleadings and proceedings had herein, a Motion will be made at this Court before the Hon. Charles M. Metzner, USDJ, on January 25, 1974 at 10:00 in the forenoon thereof, or as soon thereafter as counsel can be heard for an Order Granting Judgment of Acquittal notwithstanding the verdict, or in the alternative, a new trial and for such other and further relief as to the Court may seem just and proper.

Dated: New York, New York
January 23, 1974

William McCloskey
WILLIAM McCLOSKEY pro se

TO: JOHN J. KENNY
Assistant United States Attorney

110

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

---------- --x 73 CR. 855

UNITED STATES OF AMERICA

-vs-

THOMAS JOSEPH CARROLL, et al

-and-

UNITED STATES OF AMERICA

-vs- 73 CR 972

WILLIAM McCLOSKEY, et ano.

Defendants

----------x

The defendant, WILLIAM McCLOSKEY, respectfully moves the Court, to Grant Judgment of Acquittal notwithstanding the verdict or in the alternative, a new trial for the following reasons:

1/ The defendant was not properly represented by legal counsel and was deprived of a Constitutional statutory right thereto, because the counsel representing the defendant had previously represented another defendant in this action and was, in fact, co-counsel to such other defendant at the time he was named attorney for the defendant, William McCloskey, herein.

2/ The Court erred in not granting the defendants' several motions for a mistrial.

3/ The verdict against the defendant is not supported by substantial evidence and is contrary to the weight of the evidence.

4/ The Court erred in restricting the defendants' cross-examination, summation and right to question Government witnesses.

5/ The Court erred in charging the jury and in refusing to charge the jury as required by the Defandant.

6/ The Court erred in permitting the Government, in its

opening and closing statements to the jury, to make prejudicial comments which prevented the defendant from having a fair trial;

7/ The Court erred when it denied motions for a mistrial made during the trial and when it permitted certain testimony and exhibits to go into evidence over objections at the time of trial.

8/ The Court erred in denying all previous motions made prior to and during the course of trial.

9/ The defendant was prejudiced when with the jury present, it was brought out that the defendant worked for the United States Post Office and that a record of his employment was available in Court and thereafter, the record had not come into evidence. A Motion for a mistrial was made and should have been granted. By permitting this information in, the jury could have easily implied that the defendant had inside information helpful in the alleged conspiracy which was part of the Government's case by implication.

10/ There was insufficient evidence to hold for the verdict by the jury against the defendant, William McCloskey, as to Counts 1, 2 and 3 of the Indictment.

11/ As a matter of law there was reasonable doubt as to the defendant's guilt.

12/ The admitting into evidence of acts against the other co-defendants on trial which would constitute crimes, was highly prejudicial to the defendant, William McCloskey, and all of the evidence pertaining to the other defendants which were brought in on the conspiracy theory by the Court, was unduly prejudiced against the defendant, William McCloskey. For instance, a holdup was testified to against the defendants, Vincent McCloskey and Thomas Carroll and actions and statements on the

part of the defendant, Rippy, were admitted into evidence, all to the prejudice of the defendant, William McCloskey.

13/ The conduct of the trial and the record, indicates that the trial itself was conducted without due process of law and violated the defendant's constitutional rights to a fair trial.

Dated: New York, New York
January 23, 1974

WILLIAM McCLOSKEY, pro se

TO: JOHN KENNY
United States Attorney

U.S. FILED
JAN 25 1974
S. D. OF N. Y.

January 25, 1974. This motion is denied. See transcript of sentencing of this date. So ordered Charles H. Metzner
U.S.D.J.

MICROFILM
JAN 25 1974

COPY RECEIVED
JAN 22 1974
U.S. ATTORNEY
S.D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2521a

----------x

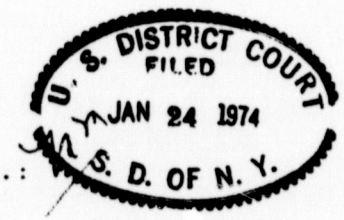
UNITED STATES OF AMERICA :

-v- : AFFIDAVIT

WILLIAM McCLUSKEY, a/k/a Billy and HARRY JOHNSON, : 73 Cr. 972 (CMM)

Defendants. :

----------x



STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

FLORENCE P. SHIENTAG, being duly sworn, deposes and says:

I am making this Affidavit in connection with my appointment and voucher for counseling services for Harry Johnson. The expenses and times set forth in that voucher were necessarily incurred for proper representation of Mr. Johnson, and I affirm the data set forth therein, and request payment of $990.50. The time I spent in preparing this case for trial and the subsequent steps will appear more particularly hereinafter.

I was assigned by Magistrate Milton D. Jacobs on or about October 2, 1973 and have been continuously engaged in representing Mr. Johnson up to the present time. Mr. Johnson was arraigned before Magistrate Jacobs on or about October 3 . He had been brought up from Washington, D.C. having been arrested there, on or about September 19, 1973 on a Complaint from this District charging that he and others had conspired to participate in the armed robbery of a U.S. Mail truck in New York City. Bail had been fixed in Washington at $25,000.

At the hearing before the Magistrate in New York, I had the bail reduced from $25,000 to $10,000 and $15,000 letter bail. Preceeding the arraignment, on October 3, I had a conference with the defendant for one hour. Thereafter, a conference with Assistant U.S. Attorney Kenney for an hour and 40 minutes, and then a conference with the Assistant U.S. Attorney and the defendant for 3/4 of an hour. The arraignment before the Magistrate occupied an hour and a half including the filing of indigent defendant's forms, my Notice of Appearance and documents for bail. Reference is made to form CJA 20 for the hours and times of my representation of the defendant. After the arraignment, I again interviewed the defendant at the jail, and I telephoned the Marshal to facilitate the arrangment of bail. I also spoke with Mr. Johnson on that day by telephone twice. I called Marshal Farley, Jack Cotton and then various bondsmen to assist the defendant, who had no friends or relatives in New York, in order to arrange bail. I spoke to his family in Washington and arranged for the defendant's father to come to New York from Washington. The arrangements for bail were continued on October 4 and October 5 until October 9 when bail was made. The difficulty had been that the defendant's family had to find the funds and arrange for their home in Washington to be accepted as security, and this took four hours of my time. On October 9, I conferred with Assistant U.S. Attorney Kenney who told me the defendants Myers and Mann had pleaded guilty, implicated my client in two trips to New York from Washington. We discussed the eight other defendants, their participation, and my client's statement on arrest. I also spoke to Mr. Kenney on October 10 and to the bondsmen and made arrangements for the U.S. Attorney to approve the recognizance bond, and I called the bondsmen several times thereafter to arrange the defendant's release

from jail. On October 10, I spoke to the defendant's wife in Washington. On October 11, I spoke to Assistant U.S. Attorney Kenney who advised that the co-defendant Mann wanted to talk to my client. I communicated with my client about this request. Thereafter, on October 15, Mr. Kenney and I conferred and he told me that he was willing for me to see Mr. Mann first, without my client being present, and arrangements were made for October 16 at 11:00 a.m. On October 16 the appointment was changed to see Mann at 11:00 a.m. on October 17. On October 17 I waited in the U.S. Attorney's office for an hour and a half and I then left a note for Mr. Kenney advising that I was going down to the jail. Mr. Kenney, I was informed, was in the Grand Jury room. I saw and spoke to Mr. Mann in the detenion jail at the Courthouse and Mr. Kenney joined me there later.

On October 18, the defendant's wife, Mrs. Johnson, called me. On that same day I received a call from Assistant U.S. Attorney Kenney that the defendant had been indicted on October 17. We tried to arrange a date for arraignment before the District Court, Mr. Kenney suggesting October 19. The defendant would not come up from Washington in that short notice. I telephoned Judge Metzner's office and arranged for the arraignment before the District Court for Tuesday, October 23 at 11:30 a.m. On that same day, I conferred with the attorney for co-defendant Mann, Robert Mitchell, Esq. On October 18, Johnson telephoned me from Washington, and I notified him where and when to appear on October 23. On that same day, Mr. Johnson and I discussed his plea in our lengthy telephone conversation. On October 18, I again spoke to Robert Michell, Esq. concerning the participation of his client and mine and his cooperation with the District Attorney. On October 23, I went to the District Court, first however conferred with my client and with the Assistant U.S. Attorney.

We then appeared before Judge Metzner in Court. I received a copy of the new indictment. Mr. Kenney moved to consolidate the two cases and that was granted. I made a motion for inspection of the Grand Jury minutes. This was denied. My motion for the continued bail as set by the Magistrate was granted. The Court permitted me until November 16 for motions to be served by me on the U.S. Attorney by November 12. I conferred with Mr. Kenney further on October 10, and I then received copies of bills of particulars provided for other counsel in the companion case and discovery papers. I had a long conference with the defendant in my office, reviewed all the available evidence , the information in the discoveries and bills of particulars and the possible testimony of the witnesses who pleaded guilty and might testify. We also prepared character witnesses. Defendant advised that he did not wish to talk to Mann and intended to go to trial. I began to prepare the law and the facts for trial.

On October 29 I received a call from Harry Johnson giving me information and then I telephoned Robert Mitchell, Esq. I conferred also on October 31 and November 1 with Fredrick Block, Esq., a former colleague of mine when we were Assistant U.S. Attorneys, as to the law. On November 1, I conferred with Assistant U.S. Attorney Kenney for almost an hour regarding the defendant's role and possible punishment. This led me to write a long letter to the defendant on November 3 advising him of the November 1 conference with Mr. Kenney, his statement to me as to possible punishment and setting forth the weaknesses in our case. I asked him to decide what to do and to advise me by November 7. On November 3, I wrote to Mr. Kenney, in preparation for trial, telling him what information I wished, a more recent bill of particulars relating to my client, and copies of confessions made by co-defendants who implicated my client. This request had been agreed to in

lieu of formal motions. On November 7 I received a call from Mr. Johnson from Washington and I also spoke to him on November 8 with regard to a possible change of plea. He advised me that he had spoken with a former lawyer of his, Silas Wasserstrom, Esq. and we discussed at length whether Mr. Johnson should plead guilty or not. On November 8, I attempted to reach Mr. Kenney several times and on November 9 I tried to reach him again. Finally on November 9 I spoke to Mr. Kenney and he advised me of the witnesses who implicated my client in hijacking, that Mr. Johnson had been to Pennsylvania and of his knowledge of the acts and his participation. On November 12, I received an affidavit from Mr. Kenney to join both indictments at trial. On that same day my client and I arranged for him to be at my office and accompany me to Mr. Kenney's office for a conference. On November 12 we spent several hours with Mr. Kenney at his office and then defendant made an oral statement to him and for the first time admitted some participation in the crime. On that same day, the District Attorney and I went to Judge Metzner's Courtroom by arrangement with the Judge and then the defendant changed his plea to guilty. Bail was continued and the day of sentence set. On November 12 I accompanied my client to the probation office. I was in the Courthouse building that day for over 3½ hours.

On November 23 I called Mr. Kenney and was advised that the sentence date had been changed to December 10 at 10:00 a.m. On November 29 by appointment by Mr. Kenney, I went to see him to discuss my client's possible testimony at the trial and possible punishment. Mr. Kenney was not there. I waited for two hours for him and left messages. I attempted to reach Mr. Kenney again on December 3 and then I called Robert Mitchell, Esq. to ascertain when the trial was to begin since his client, Mann, was certainly a witness.

On December 5, I telephoned Mr. Kenney and on December 6 I went to the Courthouse to see Mr. Kenney and left a note for him and spoke to Mr. Mollo. On December 6 Mr. Kenney returned my call and visit. He said he wanted my client to come up to New York on the following Tuesday and he then would decide whether he would use Mr. Johnson as a witness. I provided Mr. Kenney with my client's telephone number. I was eager for Mr. Johnson to testify because I believed he would make a good impression on the Judge and would receive a lighter sentence. The trial had commenced and I tried very hard to have my client testify, but Mr. Kenney did not know whether he needed him. On December 11 I attended the Courtroom 1106 before Judge Metzner and heard testimoney for a period of time. During lunch recess I conferred with Mr. Kenney, stated that Mr. Johnson had come up especially from Washington to see Mr. Kenney and would be interviewed that day at 5:00 p.m. that day. Mr. Kenney wanted him available to testify. After 5:00 p.m. on December 11, I spoke with Mr. Johnson and I telephoned Mr. Kenney to ascertain what day my client would be needed in Court. On December 13 I again telephoned Mr. Kenney to learn if Mr. Johnson would be a witness. Meanwhile on December 13, Mr. Johnson returned to Washington and telephoned me from there. On that day, I wrote to Mr. Kenney pointing out that Mr. Johnson was available to testify. I also was trying to ascertain the date of sentence. Copies of this letter of December 13 were sent to Judge Metzner and to Mr. Johnson. On December 14, I called Mr. Kenney and learned that Mr. Mann would be on the stand that day. I went to Courtroom 1106 especially to hear Mann since he had implicated my client. I left a note for Mr. Kenney. On December 17 Mr. Johnson and I conferred by telephone, he in Washington, and he gave me his new telephone number. On the next day, I called Mr. Kenney and left a message with the new number and asked to know what day was the

sentence since my client had to make arrangements a day or two in advance in order to be here on time in the morning. On the same December 17 day, I telephoned Robert Mitchell, Esq. as to the date of sentence. On December 30, I received a call from a friend of the defendant's in Maryland and spoke to a New York lawyer for the poverty program who was interested in defendant's sentence. On December 29 I received a letter from Mr. Kenney, enclosing a letter the defendant had written him, and he advised me that no date for sentence had been set. On January 2, 1974 Mr. Kenney wrote to me advising that January 8 was the date for sentence. I wrote to Mr. Johnson in Washington giving him that advice. I spoke with Mr. Kenney on January 7 to ascertain what his recommendation would be. On January 8 all the defendants who had been found guilty were sentenced in Courtroom 506 by Judge Metzner, and this took two hours as to my client who was next to last. My client received four years. Thereafter, on January 8 I went to jail with the defendant's wife, his father and father-in-law. I went to the Magistrate clerk's office for information as to the bondsman. I spoke to Mr. Johnson, Sr. about the return of bail and release of his home and I spoke to the clerk's office. Thereafter on January 10 I prepared my Voucher, mailed it to the clerk's office. Since that time, on January 12 I spoke to Mr. Johnson twice about a possible reduction of sentence and I wrote to the Assistant U.S. Attorney asking whether he would oppose such a motion and I pointed out that Mr. Johnson had been ready to testify, had a good family background, a three year old child, and I requested an answer from him. I have received no word to date. I doubt that a motion to reduce sentence would be successful if the Assistant U.S. Attorney's office opposes it.

In addition to the time spent and services outlined in this affidavit, I made 12 round trips from my home or office

to the Courthouse which occupied more than one hour for each trip. I have made no claim for this travel time nor for any other incidental expenses such as a taxi trip with Mr. Johnson from Court to my office, nor for stenographer's time or for postage; nor do I seek reimbursement for the time of the post sentence work I have performed.

I hope the allowance of $990.50 as set forth is granted.

Florence P. Shientag

Sworn to before
me this 14 day
of
1974.

Qualified in New York County
Commission Expires March 30, 1975

KENNEY METZNER, J.

2528a

JUDGMENT AND COMMITMENT (Rev. 2-68) Cr. Form No. 25

United States District Court

FOR THE

SOUTHERN DISTRICT OF NEW YORK

United States of America

v. } No.

WILLIAM MC CLOSKEY 73 cr. 972

On this 25th day of January , 19 74 came the attorney for the government and the defendant appeared in person and[1] by Louis F. Mascaro Esq.

IT IS ADJUDGED that the defendant upon his plea of[2] not guilty and a verdict of guilty by a jury

has been convicted of the offense of unlawfully, wilfully, knowingly, with malice aforethought and in the perpetration and attempted perpetration of a robbery in violation of Title 18, U.S.C., Section 2114, did murder and kill an employee of the United States Postal Service, to wit, William Hickey, while he was engaged in and on account of the performance of his official duties, to wit, the guarding of said United States mail truck
(Title 18, U.S.C., Sections 1111, 1114 and 2.)
and did assault a person, to wit, Crawford Lawrence, having lawful charge, control and custody of mail matter property of the United States, with intent to rob, steal and purloin such mail matter did wound and put in jeopardy the life of the said Crawford Lawrence by use of a dangerous weapon
(Title 18, U.S.C., Sections 2114 and 2.)
and a conspiracy so to do
(Title 18, U.S.C., Section 371.)

as charged[3] in counts (1) (2) and (3)

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for ~~XXXXXXXXX~~ a term of LIFE on count TWO(2). TWENTY FIVE(25)YEARS on count THREE(3) and FIVE(5)YEARS on count ONE(1). Sentence on counts (1) and (3) to run concurrently with each other and concurrently with the sentence imposed on count (2).

IT IS ADJUDGED that[5] the defendant is to remain in the Federal Detention Headquarters at 427 West St., New York, N.Y., pending appeal.

FILED

JAN 28 1974

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Charles H. Metzner,
United States District Judge.

~~XXXXXXXX

REMAND

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA	Crim. No. 73 CR 972
vs	Title 18:371 ~~18:1111 and 1114~~
WILLIAM MC CLOSKEY	Section
Defendant	Offense: conspiracy to rob US Mail truck and Murder of postal guard during robbery.

PRESENT:

THE HONORABLE Charles M. Metzner
U.S.D.J.

U.S. DISTRICT COURT FILED FEB 6 1974 S.D. OF N.Y.

~~On the motion of the United States Attorney, bail is fixed in the sum of~~

~~$xxxxx~~ ---------- .

ORDERED that the prisoner be remanded to the custody of the United States Marshall ~~for the Southern District~~ without bail.

AN EXTRACT OF THE MINUTES
12-26-73

RAYMOND F. BURGHARDT
Clerk of the Court

by L Swanger

DEPUTY CLERK
SOUTHERN DISTRICT OF NEW YORK

Jan ~~26~~ 12-26-73

113

[redacted] [redacted]

2530a

JUDGMENT AND COMMITMENT (Rev. 2-68) Cr. Form No. 26a

United States District Court

FOR THE

[redacted]

U.S. DISTRICT COURT FILED FEB 6 1974 S. D. OF N.Y.

United States of America

v. No.

[redacted] 73 cr. 972

On this 25th day of January, 19 74 came the attorney for the government and the defendant appeared in person and[1] by Louis F. Rassano Esq.

IT IS ADJUDGED that the defendant upon his plea of[2] not guilty and a verdict of guilty by a jury

has been convicted of the offense of unlawfully, wilfully, knowingly, with malice aforethought and in the perpetration and attempted perpetration of a robbery in violation of Title 18, U.S.C., Section 2114, did murder and kill an employee of the United States Postal Service, to wit, William Bishop, while he was engaged in and on account of the performance of his official duties, to wit, the guarding of said United States mail truck
(Title 18, U.S.C., Sections 1111, 1114 and 2.)
and did assault a person, to wit, Crawford Lawrence, having lawful charge, control and custody of mail matter property of the United States, with intent to rob, steal and purloin such mail matter did assault and put in jeopardy the life of the said Crawford Lawrence by use of a dangerous weapon
(Title 18, U.S.C., Sections 2114 and 2.)
and a conspiracy so to do
(Title 18, U.S.C., Section 371.)

as charged[3] in counts (1) (2) and (3)

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for [redacted] a term of LIFE on count one(1). TWENTY FIVE(25)YEARS on count three(3) and FIVE(5)YEARS on count two(2). Sentence on counts (1) and (3) to run consecutively with each other and concurrently with the sentence imposed on count (2).

IT IS ADJUDGED that[5] the defendant be remanded in the Federal Detention Headquarters at 427 West St., New York, N.Y., pending appeal.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

[redacted]

United States District Judge.

[redacted]

Clerk.

A True Copy Certified this 25th day of January, 1974

(Signed) Raymond F. Burghardt By) [redacted]

Clerk. *Deputy Clerk.*

U.S. MARSHAL ORIGINAL

CRIM. (SUPP. NO. 1-25-74

FPI-81—3-20-73-500-5063

114

Fee Paid $5.00

FILED
JAN 25 11 55 AM '74
S.D. OF N.Y.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

United States of AMERICA
Vs.
William McCLOSKEY

Action Number 73 CR 972

~~Consolidated with 73CR 755~~

NOTICE OF APPEAL

TO

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

Notice is hereby given that William McCLOSKEY above named, hereby appeals to the United States Court of Appeals for the Second Circuit from the * Judgment (Chas. Metzner) of Sentence 1/25, 1974.

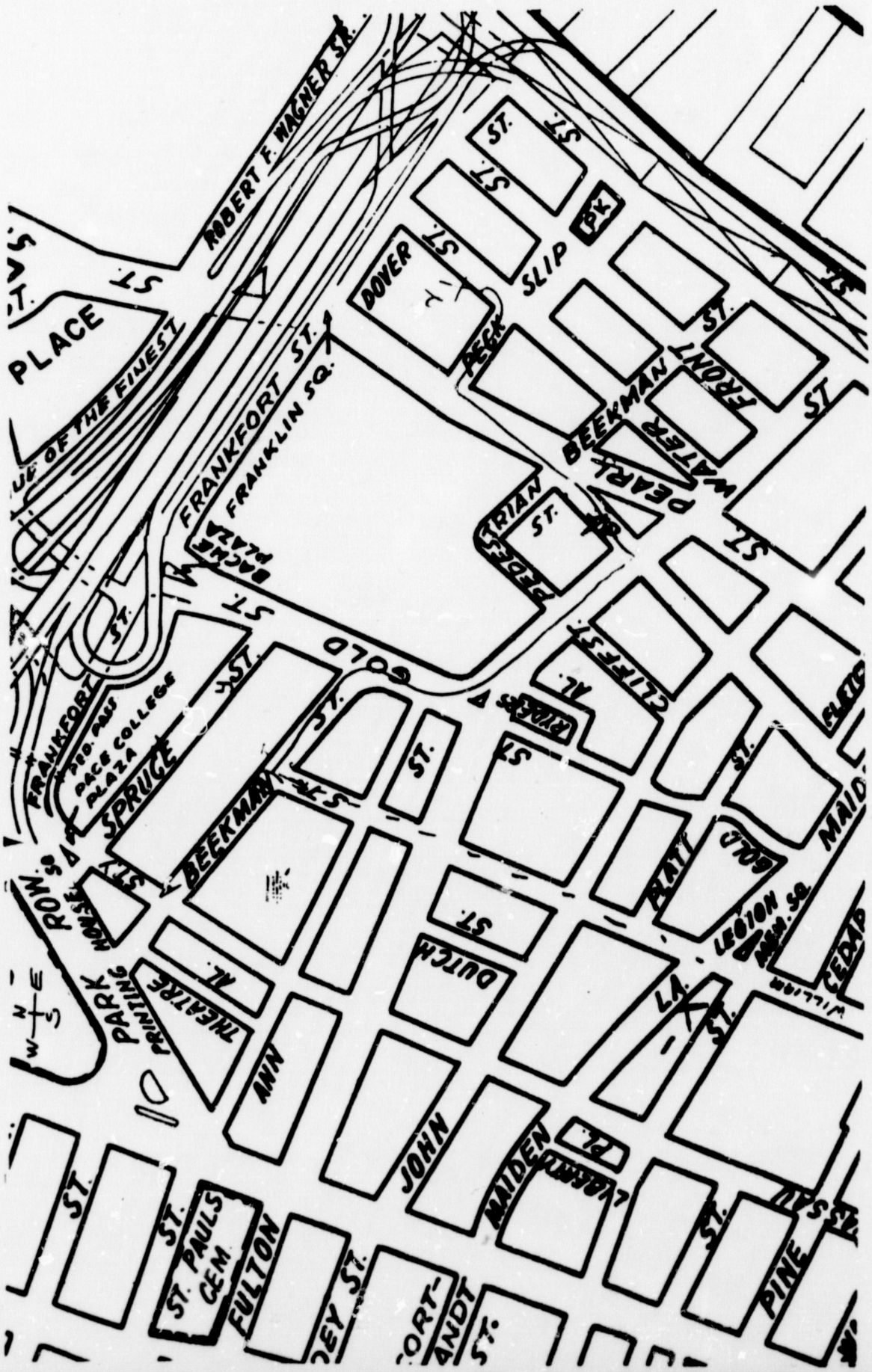
Signed Louis F. Mascaro
Louis F. Mascaro
Attorney for William McCloskey

~~38~~ William McCLOSKEY
Address 38 New St.
Huntington, L.I.
N.Y. 11743
Tel. 516-427-9775

Notice to: U.S. Attorney - South D.
Circuit Court of Appeals
William McCloskey c/o
427 West St. N.Y. N.Y.

* Insert whether order or final judgment: or part thereof appealed from.

GOVERNMENT EXHIBIT 2 2532a



GOVERNMENT EXHIBITS (3A-5, 8, 9, 10, 11, 12, 15 to 24, 26 to 28, 29, A, B, C & 30 to 41) INCLUSIVE

Rickey, William P.
NAME: LAST—FIRST—MIDDLE INITIAL

B | Mail Handler | C | D | R | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEP | OCT | NOV | DEC
2. POSITION

BIRTH
14, 1918.

STATUS
☑ YES ☐ NO

REV. FED. EMPLOYMENT
☐ COMP. STATUS ☐ NO STATUS

VETERAN PREFERENCE
☑ YES ☐ NO

RETIREMENT COVER.
☑ C. S. RET. ☐ FICA

GROUP LIFE INSURANCE
☑ YES ☐ NO

9. REMARKS OF PERMANENT NATURE
SENIORITY DATE 7-24-48 (89.00P)
SS# 112-07-6580 9778 Appt'd. 5-16-47
Gun Permit #373 MAD# ~~30300~~ AC#391400
SCD 2-15-43

Out
4-5-75
Deceased

10. FOLLOW-UP

ACTION	DUE DATE
B	5-27-65
C	5-27-72

11. FOLDER TRANSFERRED
(To and date)

REMARKS OF TEMPORARY NATURE
8-27-62 WH (Transf. from)

HOSP. Yes 391 No 7-9-60
1224693
340 11-11-61
6460444
452 1-8-72

HOSP. Yes ~~372~~ No 11-9-73
6296473
1134271

1810 EAST 31ST ST, B'KLYN, NY 11234 (2-15-73)

RESIDENCE (Address) ~~36-21 90TH Jackson Heights, N.Y. 11372~~ (Telephone)

MR. MRS. MISS | 1. NAME: LAST—FIRST—MIDDLE INITIAL | 2. POSITION | C | D | R | JAN | FEB | MAR | APR | MAY | JUNE | JULY | AUG | SEP | OCT | NOV | DEC

1810 E. 31 ST. B'KLYN NY.
NY 34 6FC 4th Flr

POSTAL EMPLOYMENT RECORD

2534a

14. NATURE OF ACTION	15. EFFECTIVE DATE	16. POSITION AND POSITION NUMBER	17. LEVEL	18. SALARY	19. HEADQUARTERS (City & State) P.O., New York, N.Y. 20. LOCAL ASSIGNMENT/DATE
		SEE OLD CARD FOR PREVIOUS SERVICE			
Step Incr.	12-1-56	Mail Handler-8	3-6	$3905	GPO*Transportation
Step Incr.	11-30-57	" "	3-7	4020	" "
Pay Adj: PL 85-426	1-11-58	" "	3-7	$4450	" "
Long. Step Increase	5-28-60	" "	3-7A	4550-A	" "
Pay Adj 86-568	7-9-60	" "	3-7A	4925A	" "
Pay Adj. PL 87-793	10-13-62	"	3-9	5390	"
Pay Adj. PL 87-793	1-4-64	"	3-9	5505	" "
Pay Adj. PL 88-426	7-4-64	"	3-9	5855	"
Step Increase	10-9-65	"	3-10	6010	"
Pay Adj. [illegible]	10-9-65	"	3-10	6229	" 052
Pay Adj. PL 89-504	7-2-66	"	3-10	6413	"
Pay Adj. PL 90-206	10-7-67	"	4-10	6799	"
Schedule II PL 90-206	7-13-68		4-10	7141	" " "
Step Increase	10-5-68	"	4-11	7326	" " "
PL 90-206 PHASE 3	7-13-69		4-11	7615	
PL 91-231 Retro	12-27-69	" "	4-11	8076	" " "
PL 91-375 Retro	4-18-70		4-11	8720	
Step Comp PL91-375	11-14-70	"	4-12	8938	" "
Coll.Barg.Agr.	7-20-71		4-12	9188	
Coll Barg Agree	11-14-71	"	4-12	9438	"
Coll.Barg.Agr.	1-20-72		4-12	9688	
Coll.Barg. Agr.	07/20/72		4 12	9938	
[illegible]	1-20-73	"	4-12	10,188	"

[illegible] Mar. 1956 DIED 4-5-73 SERVICE RECORD 4-12 10,188

[illegible] Standard Form 7 (Rev.) [illegible] Bureau of the Budget

U. S. GOVERNMENT PRINTING OFFICE : 1956—O-393009

N. Y. 196-E—SERVICE CARD #391400 2535a

NAME: Hickey, William P. MV GPO-Transportation COLOR:

DATE OF BIRTH	WHERE BORN	RET. AGE
November 14, 1918.	New York, N.Y.	70

ORIGINAL APPOINTMENT	REGULAR APPOINTMENT
July 24, 1948.	February 16, 1950.

(89.00P) TERMINATION OF SERVICE Gun Shot DECEASED 4-5-73 ON Job.

CHARGES

DATE	PENALTY	OFFENSE
Feb. 3, 42		Enlisted U.S. Army.
Jan. 11, 46		Discharged.
Nov. 7, 46	Temp.Sub.	Clerk, NYPO Feb. 28, 47 Term.
May 16, 47	Temp.Sub.	Ml.Hdler, NYPO July 23, 48 Term.
Last Salary Increase as		Temp.Sub.Ml.Hdler, 7-1-48 $1.04hr.

SERVICE RECORD

DATE OF CHANGE	DESIGNATION	SALARY
July 24, 48	Sub.Mail Handler	$1.29hr.
July 1, 49		1.34
Nov. 1, 49		PL428-1385
Feb. 16, 50	Mail Handler	2770
July 1, 50		2870
July 1, 51		2970
July 1, 51		PL204-3470
Mar 1 55		PL68- 3678
Dec. 3, 55	Mail Hdl-8	3-3790-5
Dec. 1, 56		3-3905-6

DATE	TRANSFERRED

U. S. GOVERNMENT PRINTING OFFICE 16—11684

21

[redacted]

Date of Change		Designation	Salary

Date		Transferred

July 24, 1948 $2000 National Surety Corp. #1120116

6-1-08

MTS- 3014

2005-35M-702363(70)

THIS IS A NEW YORK CITY GOVERNMENT RECORD AND SHOULD BE ACCURATELY COMPLETED. 2537a

From Beekman Downtown **Hospital,**

New York, 4 – 5 – 1973

To CHIEF MEDICAL EXAMINER OF THE CITY OF NEW YORK:

STATEMENT and particulars of the Death of HICKEY WILLIAM

Residence 1810 E 31st Street Brooklyn

Age 54 years ..... months ..... days

Color W Occupation Mail Handler

Single, Married or Widowed .....

Place of Birth .....

Father's Name .....

Father's Birthplace .....

Mother's Name .....

Mother's Birthplace .....

How long in United States .....

How long in N. Y. City .....

Admitted 5th day of April 1973

at 6.37 o'clock P. M.

By (State whether by ambulance or friends.)

friends

From (State whether from a public place, a precinct or a residence and give the street and number.)

William & Beekman Streets

Examined by SHIVA RAO M.D.

SYMPTOMS, SUBJECTIVE AND OBJECTIVE: Clinical, X-ray and Laboratory Findings: (State whether from Natural disease, poisoning, or injuries. If the latter, the location, extent, number and character of injuries, whether in shock, conscious or unconscious.)

Pt was allegedly shot in the head. He was unconscious. Gunshot wound – entry in rt upper eye-lid – exit wound in left mastoid region

Injuries said to have been received (State when, where, how, by what means or persons received; in falls, the distance and location of the fall; in burns and scalds, the circumstances; in highway deaths the line of street car, bus or railroad, the type of conveyance whether truck, taxi, private car, etc.; in weapons, the character, firearms, penetrating and cutting instruments, blunt instruments, etc. ALWAYS GIVE SUCH INFORMATION AS WILL LEAD TO THE ACCURATE KNOWLEDGE OF THE CASE AND FACILITATE JUDICIAL INQUIRY AND JUSTICE.)

Shot in the head

(State name, date, place, character and results of any operation or amputation performed.)

—

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OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

Death took place on the 5th day of April 1973, at 7:15 o'clock P. M.

REMARKS: (State here any important facts not embodied in the above statements.)

—

D Shiva Rao M.D.
House Surgeon Physician

Hickey--#3014--FS

DT 4/26/73

2008-50M-701015(60)

2538a

AUTOPSY

Case No. M73-3014

Approximate Age 54 Approximate Weight 150

Height 5'10"

Identified by William T. Hickey Residence 36-11 211 St., Bayside, N.Y.

Stenographer Frank Smith, Transcribing Typist Residence

I hereby certify that I Emile Tibere, M.D. have performed an autopsy on the body of WILLIAM HICKEY at 520 First Avenue on the 6 day of April 19 73 hours after the death, and said autopsy revealed

THIS IS A TRUE CO
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK
John G. Daley
Clerk Grade 5

AUTOPSY PERFORMED BY DR. TIBEREY, ASSOCIATE MEDICAL EXAMINER:
In the presence of Drs. Devlin, Baden, Rho, Hyland, Presswalla, Linares, and Uku:
April 6, 1973, 8:45 a.m.

White male approximately 54 years old, measuring 5' 10" in body length and weighing 150 lbs.

HEAD.

The scalp is covered with soft, light brown hair mixing with a large amount of white strands and is partially bald in its anterior frontoparietal region. There is a perforation in the upper left side of the occipital region. There is an entrance bullet wound in the right orbital cavity. Multiple abraded areas (stippling abrasions) are noted in an area extending from the right orbital area to the dorsal aspect of the nose. The face is recently shaved. The teeth are in very poor condition, and molar and upper and lower incisor front teeth are missing. There is a plum-purple ecchymotic reaction involving the left upper eyelid. The antero-posterior diameter of the chest is moderately flattened; the transverse diameter is moderately increasing. The abdomen is moderately flattened. The pubic hair is light brown, and the foreskin is short. The upper and lower extremities are not remarkable. Rigidity is generalized. Livor mortis is obvious over the posterior upper dependent parts of the body. The back of the body is not remarkable.

DESCRIPTION OF THE ENTRANCE, CLOSE-UP BULLET WOUND OF THE RIGHT ORBITAL REGION.

Located at 5' 7 3/4" above the right heel, 1 ½" to the right of the anterior midline, and 3/16" below the midportion of the right supraciliary ridge. The bullet wound measures 5/16 by 6/16" in diameter. Surrounding the bullet wound is a very thin red-pinkish marginal epidermal abrasion collar measuring 1/16" in width. There is a marked plum-purple ecchymotic reaction in the loose tissues of the right upper eyelid. With the bullet wound as a center, stippling abrasions are noted in an area measuring 1 3/4" in diameter.

THE BULLET TRACK.

The bullet penetrates the cranial cavity through the right orbital cavity and fractures the roofs of the orbital cavities (right and left), lacerates the soft tissues of the posterior aspect of the right eyeball, lacerates the full thickness of the right frontal

lobe of the brain, the cerebral peduncles, passes to the left side of the cranial cavity, lacerates the full thickness of the occipital lobe on the left side of the brain, perforates the calvarium at the level of the upper left posterior limits of the temporal, parietal, and occipital bones, perforates the scalp at this level, where the bullet leaves the cranial cavity. The direction of the bullet wound is from front to back, right to left and slightly downward in the deceased's body. The bullet track measures 8 ½" in depth in the deceased's body.

HEAD.

The scalp is reflected, showing the perforations previously described.

THE SKULL.

There are fractures of the orbital plates of the frontal bone. The orbital plate of the right orbital cavity is completely shattered. There is a linear fracture passing from the entrance hole of the bullet wound to the midportion of the body of the sphenoid bone. The fracture of the left side of the calvarium is a comminuted and compound fracture covering an area measuring 2 ½" by 1 ½" in its greatest dimensions.

THE BRAIN.

The brain weighs 1600 gms. The intermeningeal spaces are filled up with hemorrhage. The brain substance is disrupted, mostly the right frontal, the cerebral peduncles, and the parietal and occipital lobes on the left side of the brain. On section the limits between the white and gray matter are well-demarcated. A large amount (100 cc.) of fresh blood is noted in the interventricular system.

There is also a laceration of the optic chiasm.

The perforation of the posterior left upper part of the scalp measures 1" by 1 ¼" in greatest diameter.

NECK ORGANS.

The neck organs are not remarkable.

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CITY OF NEW YORK

BODY CAVITIES.

The body cavities are not remarkable.

LUNGS.

Both lungs weigh together 1520 gms. On section the lung parenchyma is slightly grayish and dark red, and a small amount of bloody fluid is oozing out over the cut surfaces . The bronchi contain a small amount of thick yellowish mucoid material.

THE HEART.

The heart weighs 310 gms. On section the myocardium, endocardium, valves and coronary vessels are not remarkable.

The aorta, the trunk of the pulmonary artery and venae cavae are not remarkable.

The diaphragm muscle is not remarkable.

THE LIVER.

The liver weighs 1520 gms. On section the liver parenchyma is

2540a

dark red and firm. The lobular architecture of the organ is well-preserved.

The common bile duct is widely patent.

The gallbladder contains a few cc. of yellow bile. The mucosal surface of the organ is slightly yellowish.

THE SPLEEN.

The spleen weighs 110 gms.. On section the splenic pulp is dark red and soft.

The pancreas is yellowish, lobulated, elongated, and is not remarkable.

ADRENALS.

Both adrenals are not remarkable.

KIDNEYS:

Both kidneys weigh together 320 gms. The kidney capsules strip very easily. Calyces, pelves, ureters, urinary bladder, which is empty, not remarkable.

THE GENITALIA.

The internal and external genitalia are not remarkable.

THE G. I. TRACT.

The esophagus is not remarkable.

The stomach contains 850 gms. of dark grayish food material. Small yellowish beans are identified. The mucosal surface of the organ shows prominent rugae.

The remainder of the G. I. tract, small and large intestines, appendix vermiformis, which is present, not remarkable.

Blood, bile, brain, liver saved for chemical examination.

DESCRIPTION OF THE CLOTHING.

One light blue-gray pants or trousers. One long-sleeved, blue and black plad shirt. One pair of long johns. One pair of light brown boots. One torn blue jacket labeled Post Office Department, U. S. x A.." One light blue overcoat. Two leather belts and one buckle titled " and ride by by Haycox."

CAUSE OF DEATH.

BULLET WOUND OF HEAD AND BRAIN.
HOMICIDAL.

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OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

No 73-314

OFFICE OF CHIEF MEDICAL EXAMINER
520 FIRST AVENUE, NEW YORK, N. Y. 10016
Telephone: 212-684-1600

2541a

Emile Tirbo MD

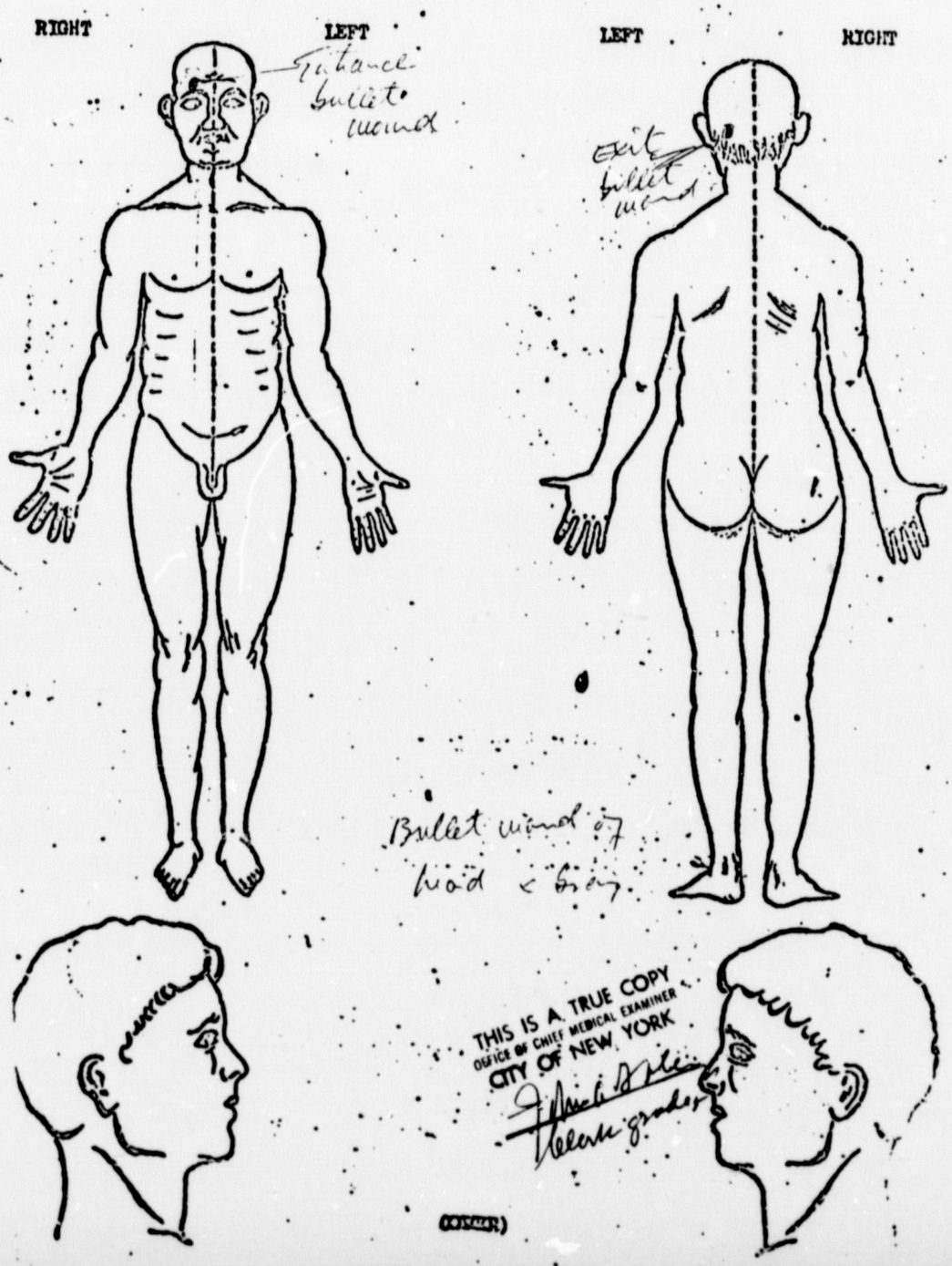
MILTON HELPERN, M.D., Chief Medical Examiner

DATE Friday April sixth, 1973

HOMICIDE WOUND CHART

DECEASED Clifford Hickey

HEIGHT 5 feet 10" WEIGHT 150 lbs.



THIS IS A TRUE COPY
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CITY OF NEW YORK
Helen Grader

(OVER)

2542a

William [illegible] Gs

NAME OF DECEASED WILLIAM [illegible]

PLACE OF DEATH [illegible] Bellevue Downtown Hospital SEX AGE

DATE OF DEATH April 6 19[illegible] Male

6 April 70

DATE OF POSTMORTEM EXAMINATION

Bullet wound of head and brain.

CAUSE OF DEATH Homicide.

[illegible]

M.E. CASE NO.

MEDICAL EXAMINER

DATE ADMITTED TO HOSPITAL

FROM

PRECINCT #

WITH

AUTOPSY WITHOUT

OFFICE OF THE CHIEF MEDICAL EXAMINER
520 FIRST AVE
NEW YORK, N.Y. 10016

THIS IS A TRUE COPY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK
Clerk grade 6

Compartment No.# 64

OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK
Police Identification of Body

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK, ss
BOROUGH OF

PATROLMAN PATRICK J. CORCORAN SHIELD 27184 PCT. 1

1. That he was the Patrolman who first saw the body of deceased:

WILLIAM HICKEY (Name of Deceased) — M73 3014 (M.E. Case No.#)

at BEEK MAN DOWNTOWN HOSPITAL (Place of Death) — APRIL 5, 1973 (Date of Death)

2. PLACE OF OCCURRENCE: (State exact location, streets, apt. etc.)

INFRONT OF 40 BEEKMAN ST.

6:25 PM (Time) — APRIL 5, 1973 (Date)

THAT HE OBTAINED THE FOLLOWING INFORMATION AS TO THE CIRCUMSTANCES OF THE OCCURANCE:

DECEASED WAS VICTIM OF GUNSHOT WOUNDS OF HEAD WHILE ON DUTY RIDING SHOT GUN ON MAIL TRUCK.

THAT HE IDENTIFIED THIS BODY OF THE DECEASED AT THE OFFICE OF THE CHIEF MEDICAL EXAMINER, IN THE PRESENCE OF OR TO:

DRS. TIBERE

UKU

Sworn to before me this 6
day of APRIL 1973
Time 9:30 AM.

THIS IS A TRUE COPY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

Patrick J. Corcoran
Signature of Patrolman

2544a

2010-50M-701016(69)

OFFICE OF CHIEF MEDICAL EXAMINER
OF THE CITY OF NEW YORK

IDENTIFICATION OF BODY

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK, ss.:
BOROUGH OF

DUTY 6H Beckman Hosp. 4/5/73

William Hickey ....age....., residing at .....

Gunshot Contusion .....

b Guard WHITE .....

o #74176 ....., 196.. ...,

at ..... Chief Medical Examiner, that deponent has seen the.....

of said deceased, and has every reason to believe that the body now recorded at the Office of Chief Medical

Examiner as.....

is..... who was last seen or heard from by deponent on

NO PAPER(TOE TAG)

HOMICIDE

THE CITY OF NEW YORK
OFFICE OF CHIEF MEDICAL EXAMINER

by the Chief

MORTUARY TAG

4 111

COMPARTMENT NUMBER 6H

NAME WILLIAM HICKEY

PLACE OF DEATH BEEKMAN DOWN TOWN HOSPITAL

DATE RECEIVED 4/5/73

KELLY

day of.....196..... X.....

THIS IS A TRUE COPY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

Identified to:..... Death Ctf. issued by:..... Deputy Chief Medical Examiner Grade 5

2010-50M-701016(69)

2545a

OFFICE OF CHIEF MEDICAL EXAMINER
OF THE CITY OF NEW YORK

IDENTIFICATION OF BODY

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK, ss.:
BOROUGH OF

RECEIVED
APR 5 PM 1

4/5/73

William Hickey
#74176

.....age....., residing at

he .....

....., 196.....,

ponent has seen the.....

recorded at the Office of Chief Medical

Examiner as.....

is.....who was last seen or heard from by deponent on

ccepted by the Chief

.....

.....

.....

Sworn to before me this

day of.....196.....

X.....

THIS IS A TRUE COPY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

Identified to:.....Death Ctf. issued by:.....

3614

54 M W

EXP 4/5 7 1/2.

Fired from the side of
Friday April the Sixth 1973. head.
Cause of death—
Bullet wound of head
and brain.
Homicidal
Autopsy by Dr Coroan 27134
NYPD Sgt Semple 3/6

THIS IS A TRUE CO
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

2010 50M-701016(69)

2547a

OFFICE OF CHIEF MEDICAL EXAMINER
OF THE CITY OF NEW YORK

IDENTIFICATION OF BODY

Medical Case No. M73-3014

STATE OF NEW YORK
CITY AND COUNTY OF NEW YORK, ss.: Pct. No.
BOROUGH OF BRONX Boro

FRANK SIMMONS - 7 EKLAND BLVD LAKE RONKONKOMA L.I.
WILLIAM T HICKEY age 21, residing at
36-11-211TH ST. QUT HOUSE in the BAYSIDE

being duly sworn, deposes and says: That he is a SON

of the person whose body was found at BELLEVUE 7 10 4/5/73, 196...,

and subsequently sent to the Office of Chief Medical Examiner; that deponent has seen the Body

of said deceased, and has every reason to believe that the body now recorded at the Office of Chief Medical

Examiner as WILLIAM HICKEY

is SAME who was last seen or heard from by deponent on

① - 3yrs AGO
② - 1½ AGO, 196...

Deponent therefore prays that identification of said deceased person be accepted by the Chief Medical Examiner of The City of New York.

Age: 54 Sex: M Color: (W) NO DRUGS

Marital Status: MARRIED S/S

Occupation: MAIL TRUCK DRIVER

Residence: 1810 31ST ST (BK) BKLYN

THIS IS A TRUE COPY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

Sworn to before me this
day of 4/6/73 196...
10:00 AM

X Frank Simmons

Identified to: L Joseph DAU TRENE Death Ctf. issued by: Date:

4/6/73 DR OKU

2548a

2050 60M 701016(69)

Time Received
'73 [illegible] 5 PM 7:33
CHIEF [illegible] EXAMINER

CITY OF NEW YORK

OFFICE OF CHIEF MEDICAL EXAMINER

Case No. [illegible]

BOROUGH OF Manh.

NOTICE OF DEATH #-2775

Police (Name of Officer) Detectives Precinct No. 14

Hospital (Name) Bellevue (Doctor reporting case) Hosp.

Private Physician (Name) [illegible] (Address) [illegible] (Tel. No.)

Reported by: Homicide Other (Name) (Address) (Friend, Relative, Funeral Director, Health Dept.)

NAME OF DECEASED Anthony McClean **AGE** 32 **SEX** M

USUAL RESIDENCE 810 East 31st St. **Occupation** Utility **Race** C

PLACE OF DEATH Bellevue Hospital **APT.#** **TEL. #**

If moved from public place to mortuary by police, give precinct number

Date and time of Admission in Hospital Cases Att. Physician Dr. Shivan 233-[illegible]

Previous private medical attention, if any, by Dr. Address Tel.# [illegible]

DATE and TIME of DEATH	NOTIFIED	TIME	DISPOSITION
4-5-73 7:15 pm	Med. Examiner / Med. Investigator Dr. [illegible] (Name)	8:10 pm	☐ Certified at scene ☒ Ordered to M. E. Mortuary ☐ No Case ☐ Cremation (Check)

Circumstances and pertinent information leading to reporting of case - Homicide -

(In hospital cremation cases include whether body was autopsied)

Def. suffered wound of Head
Res. a Male Man
#2781 Entered Bellevue
Hospital on 4/5/73 at 7:15 pm
Pronounced D.O.A. by Dr. [illegible]
Accompanied by Det. [illegible]
Shot across the
street from Hosp. During Mad Gun
Battle. From Rear of Other Man
in Critical Condition at Hosp.

THIS IS A TRUE COPY
OFFICE OF CHIEF MEDICAL EXAMINER
CITY OF NEW YORK

[illegible]
Clerk

2549a

ROOM NO. | RATE

MAY WE RESERVE A HOLIDAY INN ROOM AHEAD FOR YOU?

YES ____ NO ____

IF YES . . .
NAME

At Holiday Inn In

CITY

LOCATION

STATE
FOR
ARRIVAL

ACCOMMODATION
REQUIRED . . .

LENGTH
OF STAY

1973 MAR 20 PM 10

ROOM NO. 947

DEPART DATE 3/21

RATE 27.30

NO. IN PARTY ADS CHILD 2

GUEST REGISTRATION
PLEASE PRINT

MYERS LAST NAME | TERRENCE FIRST | D INITIAL

Washington Terrence D Myers
HOME ADDRESS: SIGNATURE

STREET 35 KENNEDY ST N.W.

CITY STATE DC ZIP 20011

FIRM

MAKE OF CAR	LICENSE NO.	STATE
CAD	899567	D.C.

ON CHECKING OUT MY ACCOUNT WILL BE HANDLED BY

CASH ☐ CHECK

CREDIT CARD ____ NO. ____

PAID

NOTICE TO GUESTS

THIS PROPERTY IS PRIVATELY OWNED AND THE MANAGEMENT RESERVES THE RIGHT TO REFUSE SERVICES TO ANYONE AND WILL NOT BE RESPONSIBLE FOR ACCIDENTS OR INJURY TO GUESTS. THE MANAGEMENT PROVIDES A SAFE IN THE OFFICE AND CAN NOT BE RESPONSIBLE FOR VALUABLES UNLESS THE GUEST CHECKS THEM AT [illegible]

MAR 20 1973

REMARKS

HOLIDAY INN OF JERSEY CITY

CLERK'S INITIAL P 089074 TIME CHECKED IN Holiday Inn

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
8

2550a

88960

(201) 867-3211

LINCOLN TUNNEL MOTEL

3801 TONNELE AVE. NORTH BERGEN, N.

REGISTRATION CARD

NAME Terry Myers

STREET Out of Town

CITY

STATE

CAR LICENSE MD2127 STATE

MAKE OF CAR Chev NO. OF PERSONS 2

ADVANCE PAYMENT REQUESTED

NOTICE TO GUESTS

THIS PROPERTY IS PRIVATELY OWNED AND THE [illegible] RESERVED TO REFUSE SERVICE TO ANYONE. THE MANAGEMENT FURTHER RESERVES THE RIGHT AT ALL TIMES TO TERMINATE THE TENANCY OF A GUEST FOR REASONS THE FORMER SHALL FEEL PROPER. TOWELS ARE NOT TO BE REMOVED FROM ROOMS. MANAGEMENT IS NOT RESPONSIBLE FOR LOSS OF MONEY, JEWELRY, FURS OR OTHER VALUABLES UNLESS ACCEPTED AT THE OFFICE FOR SAFE KEEPING.

TJ

ROOM NO. 33

RATE $ 16

DATE IN 3/21

DATE OUT 3/22

DAYS OCCUPIED

SUN			
MON			
TUE			
WED	9	1/4	8
THU			
FRI			
SAT			

TOTAL DAYS

TOTAL $ 16

TAX (IF ANY) 80

AMOUNT PD. $ 16.80

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
9

2551a

RAMADA INN
790 – 8th AVENUE
NEW YORK, N.Y. 10019
(212) 581–7000

FOLIO NO. 55575

NAME TERRENCE D. VIER (PLEASE PRINT)

ADDRESS [illegible] (PLEASE PRINT)

CITY [illegible] STATE DC ZIP [illegible]

I WILL DEPART ON

FIRM OR TRAVEL AGENT [illegible]

GUEST SIGNATURE [signature]
IF GUEST REPRESENTS A CORPORATION, BOTH SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ALL CHARGES INCURRED.

MAKE OF CAR _____ LICENSE NO. _____ STATE _____

ROOM NO.	NO. OF PER	RATE	CLERK	RES	REMARKS
508	2	39	MS	(2)	

FORM # WH 1003
12-72

TO OUR GUESTS

A safe deposit box is provided in the office for the safe keping of money, jewels, ornaments, bank notes, bonds, negotiable securities and precious stones belonging to guests. The hotel's liability is limited pursuant to the general business law

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.

10 10

2552a

REGISTRATION CARD

№ 512

NAME [illegible]

STREET WASH D.C.

CITY _____ STATE _____ ZIP CODE 20011

REPRESENTING _____

Car License B23376 State D.C.

Make of Car _____ No. in Party _____

NOTICE TO GUESTS:—This property is privately owned and management reserves right to refuse service to anyone, and will not be responsible for accidents or injury to guests or for loss of money, jewelry or valuables of any kind.

Date _____ Rate _____ Total [redacted]

Tax (if any) [redacted]

Amount Paid 21.00

Am. Hotel Reg. Co. Chicago, Ill. 60610 FORM 246-S

NAME

MAR 2[illegible] P[illegible]

DAYS OCCUPIED

TOTAL DAYS

GOVERNMENT'S EXHIBIT

U. S. DISTRICT COURT

S. D. OF N. Y.

11

2553a

REGISTRATION CARD

№ 1365

NAME E. Smith

STREET DC

CITY Wash DC STATE DC ZIP CODE

REPRESENTING

Car License State

Make of Car No. in Party

NOTICE TO GUESTS:—This property is privately owned and management reserves right to refuse service to anyone, and will not be responsible for accidents or injury to guests or for loss of money, jewelry or valuables of any kind.

Date 4/4/73 Rate 24. Total

Tax (if any)

Amount Paid

Am. Hotel Reg. Co. Chicago, Ill. 60610 FORM 246-5

ROOM 69 NAME

DAYS OCCUPIED

S M T W T F S TOTAL DAYS

APR

899-567

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
E. D. OF N. Y.
12

2554a

RAMADA INN
790 – 8th AVENUE
NEW YORK, N.Y. 10019
(212) 581–7000

FOLIO NO. 55576

NAME Geoffrey B. Bean MANN
PLEASE PRINT

ADDRESS 3713 Rodman PL SE.
PLEASE PRINT

CITY Wash STATE DC ZIP 20032

I WILL DEPART ON

FIRM OR TRAVEL AGENT

GUEST SIGNATURE Geoffrey B. Bean
IF GUEST REPRESENTS A CORPORATION, BOTH SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ALL CHARGES INCURRED.

MAKE OF CAR PONT LICENSE NO. 841-075 STATE DC

ROOM NO.	NO. OF PER	RATE	CLERK	RES	REMARKS
506		A/C	M.P.	2	

FORM # WH 1003
12-72

TO OUR GUESTS

A safe deposit box is provided in the office for the safe keping of money, jewels, ornaments, bank notes, bonds, negotiable securities and precious stones belonging to guests. The hotel's liability is limited pursuant to the general business law

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
15

2555a

REGISTRATION CARD

№ 443

NAME Geoffrey Mann

STREET 110 46th St. St

CITY [illegible] STATE [illegible] ZIP CODE [illegible]

REPRESENTING

Car License State

Make of Car No. in Party

NOTICE TO GUESTS:—This property is privately owned and management reserves right to refuse service to anyone, and will not be responsible for accidents or injury to guests or for loss of money, jewelry or valuables of any kind.

Date Rate 24. Total

Tax (if any)

Amount Paid

Am. Hotel Reg. Co. Chicago, Ill. 60610 FORM 246 [illegible]

ROOM 09 NAME

MAR 2[illegible] PM 1[illegible]

DAYS OCCUPIED

S T W T F S TOTAL DAYS

172412

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
16

2556a

REGISTRATION CARD

№ 595

NAME Geoffrey Mohn

STREET 3213 WHEELER AVE SE.

CITY WASH STATE D.C. ZIP CODE 20032

REPRESENTING

Car License State

Make of Car No. in Party

NOTICE TO GUESTS:—This property is privately owned and management reserves right to refuse service to anyone, and will not be responsible for accidents or injury to guests or for loss of money, jewelry or valuables of any kind.

Date 3-28-73 Rate 18— Total

Tax (if any)

Amount Paid

Am. Hotel Reg. Co. Chicago, Ill. 60610 FORM 246-S

ROOM 84 NAME

DAYS OCCUPIED S M T W T F S TOTAL DAYS

MAR 28 PM 4 07

8979567

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
17

Corporation Resolutions—Withdrawal of Funds, Borrowing, etc.

2557a

4404 Dell Avenue Corp.
(Name of Corporation)

I hereby certify to Meadowlands National Bank
(Name of Bank/Trust Company)

that at a meeting of the Board of Directors of 4404 Dell Avenue Corp.

a corporation organized under the laws of the State of New Jersey duly called and held at the office of said corporation, No. 713 Kennedy Blvd. in the City of North Bergen State of New Jersey on the 18th day of Dec. 1972, the following resolutions were duly adopted and are now in full force and effect:

Resolved, that the funds of this corporation be deposited in The Meadowlands Natl. Bank

subject to checks made in the corporate name signed by any ~~two~~ one (Number) of the following officers:

who are also authorized to make, collect, discount, negotiate, endorse, assign and deposit in the corporate name, all checks, drafts, notes and other negotiable paper payable to or by this corporation, and that all checks of the corporation signed as aforesaid, including checks drawn to cash or bearer or to the individual order of the officer signing said checks, shall be honored and paid by said Bank/Trust Company, without further inquiry, and charged to the corporation's account, the corporation hereby ratifying and approving all that said Bank/Trust Company may do or cause to be done by virtue hereof.

Resolved, that any ~~two~~ (Number) of the following officers of the ~~corporation, to wit~~

not applicable

~~are hereby authorized to borrow money and to~~ obtain credit ~~for this corporation~~ from said Bank

Meadowlands National Bank
(Name of Bank/Trust Company)

on such terms as may seem to them advisable and to make and deliver notes, drafts, acceptances, agreements and any other obligations of this corporation therefor in form satisfactory to said Bank/Trust Company and as security therefor to pledge and trustee any stocks, bonds, bills receivable, bills of lading, warehouse receipts and any other property of this corporation with full authority to endorse or guarantee the same in the name of this corporation, to execute and deliver all instruments of assignment and transfer and to affix the corporate seal; and also to discount any bills receivable or other negotiable paper held by this corporation with full authority to endorse same in the name of this corporation.

Resolved, that the secretary of this corporation be and he hereby is authorized to certify to said Meadowlands National Bank
(Name of Bank/Trust Company)

the foregoing resolutions and that the provisions thereof are in conformity with the charter and by laws of this corporation. That the foregoing powers and authority will continue until written notice of revocation has been delivered to Meadowlands National Bank

I further certify that there is no provision in the charter or by-laws of said corporation limiting the power of the board of directors to pass the foregoing resolutions and that the same are in conformity with the provisions of said charter and by-laws.

I further certify that the following persons are officers of this corporation in the capacities set opposite their respective names and that the signatures set opposite such names are their signatures.

NAME	OFFICER	SIGNATURE
Raymond J. Engels	President	Raymond J. Engels
John Picone	Vice-President	
	Vice-President	
Carmen Nastasi	Treasurer	Carmen Nastasi
	Secretary	
	Asst. Treasurer	
~~XXX~~ Carol Drescher	~~Asst. Secretary~~ Trustee	Carol Drescher

In Witness Whereof, I have hereunto subscribed my signature to this certificate and affixed the seal of this corporation, this 9th day of January 19 73

Seal

Carmen Nastasi
(Secretary)

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
19

Account No. 51 70 6200-7 Date 1-8-72

CORPORATION OR SOCIETY ACCOUNT

We hereby agree to be bound by the Regulations and By-Laws of the MEADOWLANDS NATIONAL BANK, NORTH BERGEN, NEW JERSEY. It is also agreed that the clause on the reverse side is part of this contract.

TITLE OF ACCOUNT
FODIE Corp

ADDRESS
1404 Pershing Ave No Bergen N.J.

PRESIDENT	TRUSTEE
VICE-PRESIDENT	TRUSTEE
TREASURER	TRUSTEE
SECRETARY	TRUSTEE

SIGNATURES NECESSARY TO DRAW

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
20

2559a

[redacted]

MEADOWLAND CAR AND
LIQUOR SERVICE
[redacted]

Apr. 5 19 73
$ 100.00
DOLLA

PLAZA NATIONAL BANK

[redacted]

GAR PRODUCTS
116 SO. 15TH STREET
NEWARK, N. J.

16315

Apr. 4 19 73
$168.00

GAR PRODUCTS

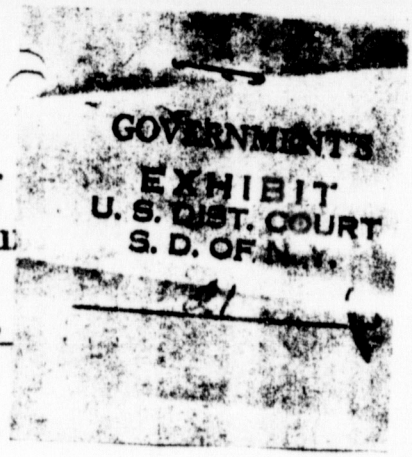
PHYLLIS J. SHERMAN
256 GRAND AVENUE
ENGLEWOOD, N. J. 07631

408

Apr. 4 19 73

FIRST NATIONAL CITY BANK

2561a



Individual Unincorporated Operating Under
Authority To Open Deposit Accou

Date March

To PLAZA NATIONAL Bank

SECAUCUS City N. J. State

The undersigned desires to establish with you a deposit and checking account to be known as

MEADOWLAND CAB & LIMOUSINE SERVICE

and hereby certifies that said name is a trade name used in the conduct of an unincorporated business, owned entirely by the undersigned.

Checks and orders for the payment of money withdrawing funds from said account may be signed by:

THOMAS J CARROLL

(Use blank spaces for names of those authorized to sign and state whether checks will bear one signature or will be signed and countersigned.)

Checks, drafts, notes, bills of exchange and orders for the payment of money may be endorsed by any of the above and deposited with you for the credit of said account. Such endorsements may be made in writing or by a stamp and without designation of the person so endorsing.

The undersigned authorizes and requests you to pay and charge to said account checks, obligations and orders for the payment of money drawn on or payable at, or which shall be paid or honored by your bank when so signed whether payable to the order of any of said signers or not; and further authorizes and requests you to receive deposits and conduct the said account in accordance with the instructions stated above, and stated on the authorized signature card filed with you by the undersigned.

If any other persons become interested in said business as co-partners of the undersigned or if the business should become incorporated the undersigned will notify you promptly.

(x) Thomas J Carroll

2562a

A/C TITLE MEADOWLAND CAB AND LIMOUSINE SERVICE ACCT NO. 100.25981 CODE NO.

ADDRESS 62 County Ave, Sec. TELE. 348-1480

The bank is hereby authorized to recognize the signatures executed herewith in payment of funds or transaction of any other business with said party. Items received for deposit or collection are accepted on the following terms and conditions. This Bank acts only as depositor's collecting agent and assumes no responsibility beyond its exercise of due care. All items are credited subject to final payment and to receipt of proceeds of final payment in cash or solvent credits by this Bank at its own office. This Bank may forward items to correspondents and shall not be liable for default or negligence of correspondents selected with due care nor for losses in transit, and each correspondent shall not be liable except for its own negligence. Items and their proceeds may be handled by any Federal Reserve bank in accordance with applicable Federal Reserve rules, and by this Bank or any correspondent, in accordance with any common bank usage, with any practice or procedure that a Federal Reserve bank may use or customarily require bank to use, or with any other lawful means. This Bank may charge back, at any time prior to midnight on its business day next following the day of receipt, any item drawn on this Bank which is ascertained to be drawn against insufficient funds or otherwise not good or payable. An item received after this Bank's regular afternoon closing hour shall be deemed received the next business day.

Thomas J Carroll THOMAS J CARROLL

NATIONAL BANK OF SECAUCUS
SECAUCUS, NEW JERSEY

(RULE OUT UNUSED LINES) OVER (OVER)

2563a

REFERENCE OR INTRODUCED BY

A/C OPENED BY [signature] DATE 3/6/73 INITIAL DEPOSIT 800 00

BUSINESS

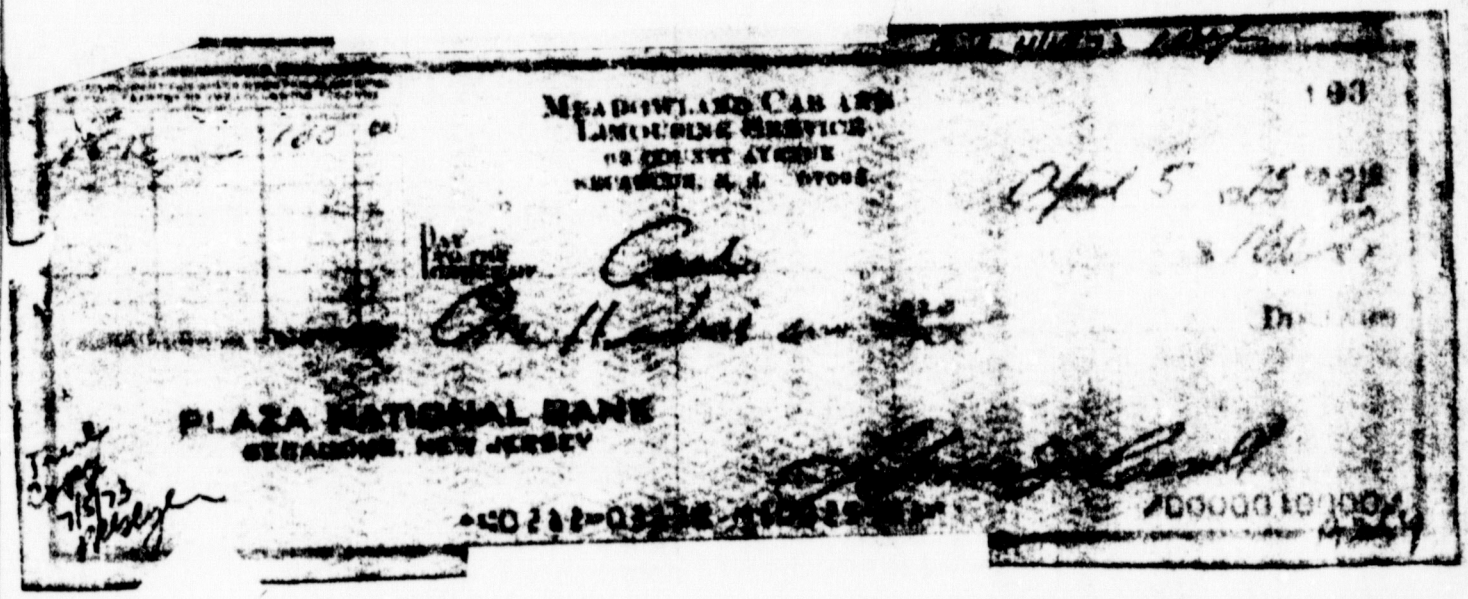
DOCUMENTS FILED	DATE
PARTNERSHIP AGREEMENT	
TRADE NAME CERTIFICATE	3/6/73
OTHER (DESCRIBE)	

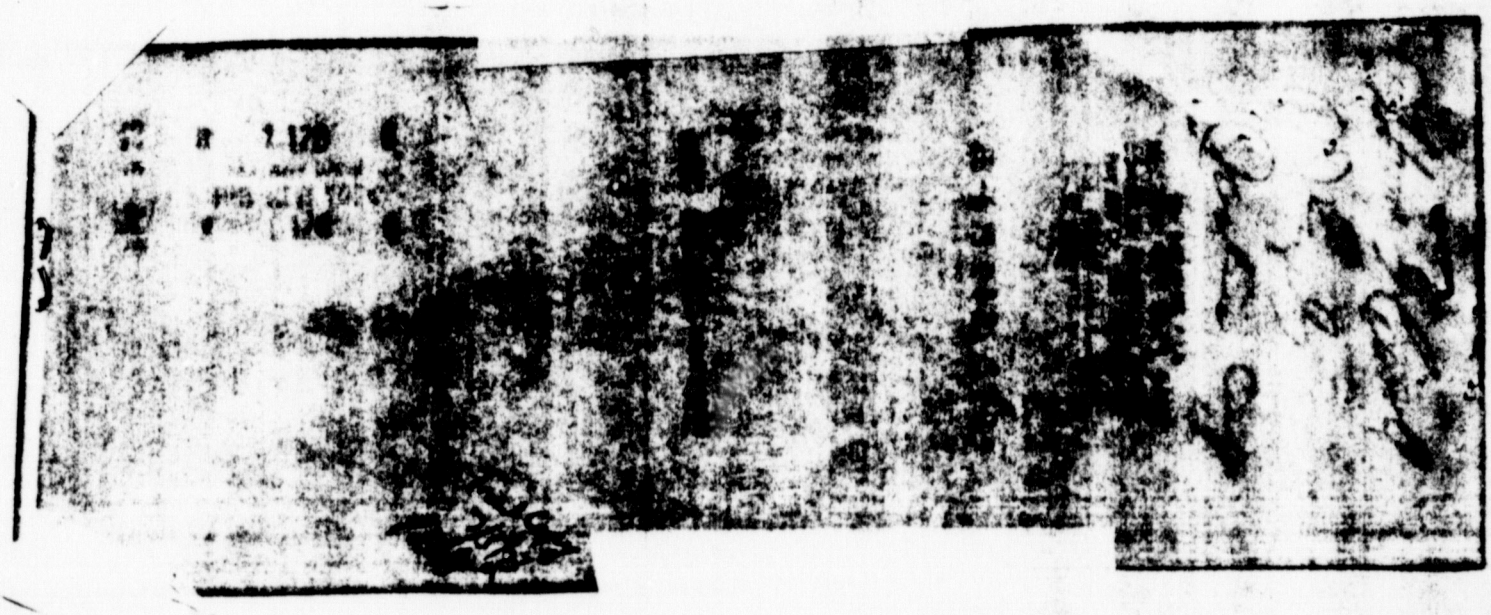
REMARKS Statements & Checks to go to:
512 41st Street
North Bergen, N.J.

INDIVIDUAL OR FIRM

58

2564a





GOVERNMENT
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
24

PLAZA NATIONAL BA

SECAUCUS, NEW JERSEY 07094

ACCOUNT NUMBER
10029981

MEADOWLAND CAB &
LIMOUSINE SERVICE
C/O THOMAS J CARROLL
1512 41ST ST
NORTH BERGEN N J

MAIN
OFFICE

PAGE

CHECKS AND OTHER CHARGES			DEPOSITS AND OTHER CREDITS	DATE	BALANCE
BALANCE FORWARD				03/30	63.35
50.00			294.00	04/03	307.35
100.00				04/10	207.35
40.00	100.00			04/16	67.35
55.00				04/24	12.35
1.35S				04/30	11.00

OPENING BALANCE	TOTAL CHECKS AND OTHER CHARGES POSTED	[illegible]	[illegible]		CLOSING BALANCE
63.35	346.35	5	294.00		11.00

CODES M - MEMO L - LOST PLAST S - SERVICE CHARGE P - CHECK FEE
OD - OVERDRAFT

GOVERNMENTS

26

2566a

→ A
OM
276-6220/392/Q/O.J MC2804T
3-8-73/SLS 8231-0/ADT 3-1 9:29/AP 3-8X

OTN 388-8118/392/B

ILN (NP) VAZQUEZ MARIA/
132-37 SPRNGFLD BLVD/LRLTN//11413
LOC FLR BSMNT 2 FAM
F ADD 81 PULASKI

DEL Q QC/SM

BILL
CC B/MISS NO INL CHG FMR SVC
388-8118 | COL | TML

S&E
FMR CVW GRN HCD S 13'
WP SVC
PHYS INSP 3-8-73

RMKS
RCH # 516 231-7281 SISTER

STAT
TAX 604/RI 1/SWO RI /OCB TOW252

ASGM
PR YES/LID NO 3-1-73
400-08-33 SER 13
16171-88 BP10 132 RD 2P/E SPFLD
BLVD P64023
5013-2285 BP186 220 2P/N MERR RD P493
DUC 528-3716 D 8-24-72

LA YO MBS 3-8-73

SQ 32CO TS 5-11-73 NOTC
MAR 08 1973

392949
RST 6-1-73

SD 219
CHNTEL
6 29
5.98
276-392

TEL. NO.

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
27 ID

2567a

INFORMATION ON CUSTOMER STATEMENT

Page 1 Billing Number 276 6220 2 Calling Number 276 6220 4-13-73

Date	Calls (see reverse for more information)					Amount	Min.	Conn. Time Hr	Time Min	C	T	S	Identification Number	M C
308	BRENTWOOD	NY	516	231	7281		39	21	15	0	1	8	RJ878022221	A
308	BRENTWOOD	NY	516	231	6660		65	51	30	4	0	1	8 RJ878022222	A
308	BAYPORT	NY	516	472	2349		53	21	8	29	2	1	8 RJ878022223	A
308	BRENTWOOD	NY	516	231	7281		39	21	8	41	2	1	8 RJ878022224	A
306	BRENTWOOD	NY	516	231	7281		39	22	1	28	2	1	8 RJ878022225	A
309	BRENTWOOD	NY	516	231	7281		39	10	8	31	0	1	8 RJ878022226	A
310	DEER PARK	NY	516	586	7838		44	4	09	04	2	1	8 RJ878022227	A
311	JERSEYCITY	NJ	201	792	0885		14	11	30	13	1	J	RJ878022228	B
311	JERSEYCITY	NJ	201	792	0885		14	11	62	53	1	J	RJ878022229	B
311	JERSEYCITY	NJ	201	798	9782		22	51	62	73	1	J	RJ878022230	B
311	BAYPORT	NY	516	472	2349		87	51	63	42	1	8	RJ878022231	A
313	UNION CITY	NJ	201	863	8847		17	12	01	81	1	J	RJ878022232	B
313	UNION CITY	NJ	201	863	8847		17	22	13	21	1	J	RJ878022233	B
314	UNION CITY	NJ	201	863	8847		17	11	92	81	1	J	RJ878022234	B
315	BRENTWOOD	NY	516	231	7281		65	51	14	10	1	8	RJ878022235	A

* 59 MSG UNITS ALLOWED

CONTINUED

Page 2 Billing Number 276 6220 2 Calling Number 276 6220 4-13-73 00

Date	Calls					Amount	Min	Conn. Time Hr	Time Min	C	T	S	Identification Number	M C
316	NEWARK	NJ	201	926	6257		10	10	64	1	2	1	J	B
317	CAMDEN	N J	609	541	5383		35	11	61	9	3	1	J	B
317	CAMDEN	N J	609	541	5383		135	132	11	2	3	1	J	B
318	UNION CITY	NJ	201	863	8847		14	11	60	9	3	1	J	B
318	NEWARK	NJ	201	923	6257		44	51	84	7	1	1	J	B
319	UNION CITY	NJ	201	863	8847		17	11	92	8	1	1	J	B
319	BAYPORT	NY	516	472	2349		53	12	24	5	2	1	8	A
319	WASHINGTON	DC	202	583	2644		70	41	91	3	1	1	J	B
320	BAYPORT	NY	516	472	2349		70	40	55	6	2	1	8	A
321	JERSEYCITY	NJ	201	653	0300		23	11	32	7	0	1	J	B
322	UNION CITY	NJ	201	863	8847		17	12	00	8	1	1	J	B
322	BAYPORT	NY	516	472	2349		53	31	95	7	2	1	8	A
323	BRENTWOOD	NY	516	231	7281		39	21	1	26	0	1	8	A
323	WASHINGTON	DC	202	529	8100		55	22	05	3	1	1	J	B
323	UNION CITY	NJ	201	863	8847		22	42	10	1	1	1	J	B

Information on Customer Statement

3 Billing Number 276 6220 2 Calling Number 276 6220 4-13-73 00

Calls				Amount	Min	Conn. Time Hr.	Min	C	T	S	Identification Number	MC
324 UNION CITY	NJ	201	863 8847		14	11	53	1	J			B
324 UNION CITY	NJ	201	863 8847		14	11	74	2	J			B
324 □BRENTWOOD	NY	516	231 7281		39	31	23	4	8			A
325 UNION CITY	NJ	201	863 8847		17	11	80	2	J			B
325 WASHINGTON	DC BC	202	583 2644		85	51	73	4	J			C
326 □BRENTWOOD	NY	516	231 7281		39	21	05	1	8			A
326 WASHINGTON	DC LM	202	829 7657		80	21	61	3	J			B
326 UNION CITY	NJ	201	863 8847		23	21	63	6	J			B
327 □BRENTWOOD	NY	516	231 7281		39	31	43	2	8			A
327 UNION CITY	NJ	201	863 8847		23	21	50	4	J			B
329 □BAYPORT	NY	516	472 2349		155	92	13	6	8			A
331 UNION CITY	NJ	201	863 8847		14	11	61	0	J			B
331 UNION CITY	NJ	201	863 8847		14	11	83	5	J			B
331 □BAYPORT	NY	516	472 2349		53	11	90	2	8			A
331 □BRENTWOOD	NY	516	231 7281		39	21	20	9	8			A

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Information on Customer Statement

4 Billing Number 276 6220 2 Calling Number 276 6220 4-13-73 00

Calls				Amount	Min	Conn. Time Hr.	Min	C	T	S	Identification Number	MC
331 □BAYPORT	NY	516	472 2349		291	17	16	1	1	8		A
331 □BRENTWOOD	NY	516	231 7281		104	8	16	3	4	8		A
331 WASHINGTON	DC	202	829 7657		48	31	84	1	J			B
401 WASHINGTON	DC	202	829 7657		48	10	92	5	J			B
401 UNION CITY	NJ	201	863 8847		14	11	63	8	J			B
401 □BRENTWOOD	NY	516	231 7281		65	50	84	6	2	1	8	A
401 WASHINGTON	DC	202	829 7657		49	31	21	8	J			B
402 WASHINGTON	DC	202	829 7657		20	10	71	0	J			B
402 WASHINGTON	DC	202	562 2366		80	10	94	1	J			B
402 WASHINGTON	DC	202	829 7657		80	11	64	7	J			B
402 UNION CITY	NJ	201	863 8847		17	11	80	6	J			B
402 UNION CITY	NJ	201	863 8847		17	11	91	2	J			B
402 WASHINGTON	DC	202	829 7657		55	22	00	4	J			B
403 WASHINGTON	DC	202	829 7657		80	11	44	3	J			B
403 WASHINGTON	DC	202	829 7657		80	11	51	1	J			B

Information on Customer Statement

5 Billing Number 276 6220 2 Calling Number 276 6220 4-13-73 00

Calls				Amount	Min	Conn. Time Hr.	Min	C	T	S	Identification Number	MC
403 UNION CITY	NJ	201	863 8847		23	11	55	1	J			B
403 UNION CITY	NJ	201	863 8847		23	31	62	3	J			B
403 WASHINGTON	DC	202	583 2644		104	41	65	3	J			B
403 WASHINGTON	DC	202	829 7657		55	21	72	7	J			B
404 UNION CITY	NJ	201	863 8847		23	11	40	3	J			B
404 UNION CITY	NJ	201	863 8847		23	11	55	8	J			B
404 WASHINGTON	DC	202	829 7657		48	30	61	9	J			B
404 WASHINGTON	DC	202	829 7657		80	21	35	4	J			B
404 WASHINGTON	DC	202	829 7657		120	31	35	8	J			B
404 WASHINGTON	DC	202	829 7657		80	21	41	7	J			B
404 WASHINGTON	DC	202	583 2644		80	21	52	4	J			B
404 UNION CITY	NJ	201	863 8847		23	21	55	9	J			B
404 WASHINGTON	DC	202	829 7657		80	31	60	1	J			B
406 WASHINGTON	DC	202	829 7657		55	32	10	6	J			B
406 UNION CITY	NJ	201	863 8847		17	22	11	0	J			B

Information on Customer Statement

Page 6 Billing Number 276 6220 2 Calling Number 76 6220 4-13-73 00

Date	Calls				Amount	Min	Conn Time Hr	Conn Time Min	C	T	S	Identification Number	M C
408	WASHINGTON DC	202	829	7657	55	2	18	19	1	1	J		B
409	UNION CITY NJ	201	863	8847	23	1	16	58	0	1	J		B
409	UNION CITY NJ	201	863	8847	17	1	18	08	1	1	J		B
409	UNION CITY NJ	201	866	8847	17	1	19	56	1	1	J		B
409	UNION CITY NJ	201	863	8847	17	1	20	05	1	1	J		B
409	WASHINGTON DC	202	583	2644	130	8	17	09	1	1	J		B
410	WASHINGTON DC	202	829	7657	55	1	20	56	1	1	J		B
411	[illegible]	NY	516	231	7281	52	4	13	42	0	1	8	A
410	UNION CITY NJ	201	863	8847	17	2	21	16	1	1	J		B
410	UNION CITY NJ	201	863	8847	17	2	22	09	1	1	J		B
412	BRENTWOOD NY	516	231	7281	65	5	22	15	2	1	8		A
329	ARLING VA	COL	920	9811	95	1	15		4	2	J	D29202645	8 B
	FEDERAL/STATE & ANY LOCAL TAX				503								
	TOTAL INCL TAX				4828								

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413	UNION CITY NJ	201	863	8847	17	1	21	58	1	1	J		B
413	CAPITOLHTS MD	301	350	2671	152	6	08	56	0	1	J		B
413	UNION CITY NJ	201	863	8847	37	5	12	11	0	1	J		B
413	WASHINGTON DC	202	829	7657	128	5	12	45	0	1	J		B
413	WHITE LAKE NY	914	583	7458	73	2	15	46	0	1	8		A
413	WASHINGTON DC	202	829	7657	55	2	20	13	1	1	J		B
414	CAMDEN N J	609	541	5383	35	1	21	42	3	1	J		B
414	CAMDEN N J	609	541	5383	35	1	21	43	3	1	J		B
414	BRENTWOOD NY	516	231	7281	52	4	08	45	2	1	8		A
415	BAYPORT NY	516	472	2349	53	1	13	11	2	1	8		A
415	WASHINGTON DC	202	829	7657	55	1	18	20	1	1	J		B
415	UNION CITY NJ	201	863	8847	17	1	19	58	1	1	J		B
415	BRENTWOOD NY	516	231	7281	52	4	08	04	2	1	8		A
415	WASHINGTON DC	202	562	8547	115	7	20	44	1	1	J		B

* 49 MSG UNITS ALLOWED

CONTINUED

Information on Customer Statement

Page 2 Billing Number 276 6220 2 Calling Number 276 6220 5-13-73 00

Date	Calls				Amount	Min	Conn Time Hr	Conn Time Min	C	T	S	Identification Number	M C
415	UNION CITY NJ	201	863	8847	17	2	21	44	1	1	J		B
416	UNION CITY NJ	201	863	8847	17	1	18	54	1	1	J		B
417	RUTHERFORD NJ	201	939	5089	24	1	17	43	1	1	J		B
417	BRENTWOOD NY	516	231	7281	91	7	14	31	0	1	8		A
417	UNION CITY NJ	201	863	8847	17	3	18	11	1	1	J		B
417	UNION CITY NJ	201	863	8847	17	2	20	57	1	1	J		B
418	UNION CITY NJ	201	863	8847	17	1	17	22	1	1	J		B
419	UNION CITY NJ	201	863	8847	17	1	19	48	1	1	J		B
420	BRENTWOOD NY	516	231	7281	39	2	10	36	0	1	8		A
421	HACKENSACK NJ	201	487	0770	20	1	11	26	3	1	J		B
421	UNION CITY NJ	201	863	8847	14	2	11	23	3	1	J		B
422	BRENTWOOD NY	516	231	6191	39	1	16	43	2	1	8		A
426	PASSAIC NJ	201	478	0770	28	1	18	13	1	1	J		B
426	BRENTWOOD NY	516	231	7281	78	6	10	30	0	1	8		A
429	BRENTWOOD NY	516	231	7281	39	3	21	30	2	1	8		A

Information on Customer Statement

4 276 6220 2 276 6220 5-13-73 CC

Date	Call				Amount	Min	Rate Time	Rate Type	Discount	Station Number	M C
423	WHITE LAKE	NY	914	583 7458							
	FROM NEWYORK	NY			53	110	478	RM	141	C485	A

FEDERAL/STATE & ANY LOCAL TAX 310
TOTAL INCL TAX 2657

Information on Customer Statement

3 276 6220 2 276 6220 5-13-73 CC

Date	Call				Amount	Min	Rate Time	Rate Type	Discount	Station Number	M C
502	WHITE LAKE	NY	914	583 7458	53		30736	218			A
502	BRENTWOOD	NY	516	231 7281	65		50952	018			A
503	UNION CITY	NJ	201	863 8847	17		11907	118			B
503	BRENTWOOD	NY	516	231 7281	39		21938	018			A
503	BRENTWOOD	NY	516	231 7281	65		51744	218			A
504	BRENTWOOD	NY	516	231 7281	52		40908	018			A
506	BRENTWOOD	NY	516	231 7281	78		60915	218			A
507	BRENTWOOD	NY	516	231 7281	39		12305	218			A
509	BRENTWOOD	NY	516	231 7281	104		80944	018			A
509	BRENTWOOD	NY	516	231 7281	143		111858	218			A
510	CENTRLISLP	NY	516	234 1101	39		32027	218			A
510	BRENTWOOD	NY	516	231 7281	91		72030	218			A
512	BRENTWOOD	NY	516	231 7281	39		20816	218			A

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RT
SA CS 897 CD ER APP TDT 73029 02-09-73 PG 1 TN (201)863-8847
ORD CS 1FRBW BO-SLS NH DD

	ORDER NUMBER	DATE COMPLETED	SW	MN/QTY	DESCRIPTION		MONTHLY RATE
1	NH 08847	11-11-11		NP	(NON PUB)WALL, M F	HA	
2							
3	NH 08847	11-11-11		LA	151T 43RD/N BGN		
4							
5	NH 08847	11-11-11		LOC	,FLR 1		
6							
7	NH 08847	11-11-11			1FRBW		6.65 *
8							
9	000	01-23-72			NPU		.50 *
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							

			-	72029	7.15	.64	7.79
			PREV. TELEPHONE NO	PREV. TAB	TOTAL LOCAL SERVICE	TOTAL U.S. TAX	TOTAL INCL. TAX

A4615 (6-69)

SERVICE BILLING RECORD C

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29 A

(1)

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5	HANASQUAN	NJ	A		7230707		35	0021B		1449
5	HANASQUAN	NJ	A		7230707		35	0021B		1439
5	BKLYN NYC	NY	F	212	2349195		13	0011J		2138
5	BKLYN NYC	NY	F	212	2877043		13	0011J		2140
5	NEW YORK	NY	F	212	7529530		13	0031J		1802
5	NEW YORK	NY	F	212	2548048		13	0011J		1706
5	ALLENTOWN	PA	H	215	4371533		55	0051J		2307
5	WESTWOOD	NJ	F		6668033		20	0011B		1640
6	NEW YORK	NY	A	212	3548048		17	0021J		1232
6	NEW YORK	NY	A	212	7529530		17	0011J		1259
6	BRONX NYC	NY	A	212	2317388		23	0011J		1536
6	BRONX NYC	NY	A	212	2317388		23	0021J		1537
7	PORTARTHUR	TEX	F	713	5828605		75	0021J		1854
7	WESTWOOD	NJ	A		6668033		20	0011B		1516
7	KEYPORT	NJ	H		2648715		63	0091B		0014
7	IDEAL	NJ	F		5319149		41	0041B		2024
7	BRONX NYC	NY	F	212	2317381		17	0011J		1736

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7	BRONX NYC	NY	A	212	2317381		23	0011J		1525
8	WESTWOOD	NJ	A		6668033	MH	20	0011B		1619
8	NEW YORK	NY	A	212	7243551		17	0021J		1201
8	BRONX NYC	NY	A	212	2317388		23	0011J		1426
09	NEW YORK	NY	F	212	9992121		13	0011J		1735
09	NEW YORK	NY	F	212	9992121		13	0011J		1722
09	NEW YORK	NY	F	212	9992121		13	0011J		1703
09	BRONX NYC	NY	F	212	2317388		17	0021J		2042
10	GARDENCITY	NY	U	516	7486046		2	0011J		1117
10	GARDENCITY	NY	U	516	7486046		2	0011J		1607
10	NEW YORK	NY	U	212	8742424		13	0011J		1511
10	NEW YORK	NY	U	212	8742424		13	0011J		1653
10	NEW YORK	NY	U	212	9992121		13	0011J		1447
11	WESTWOOD	NJ	F		6668033		20	0011B		2003
12	WESTWOOD	NJ	A		6668033		20	0011B		1516
12	BRONX NYC	NY	F	212	2317388		17	0011J		2244
12	BRONX NYC	NY	A	212	2317388		23	0011J		1515

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3	12	6	BRONX	NYC	NY	H	2122317388		1	0011J	0000
3	12	8	QUEENS	NYC	NY	F	2124230770		1	0011J	2242
3	13	4	WESTWOOD		NJ	F	6668033	MM	32	0041B	1833
3	13	4	WESTWOOD		NJ	A	6668033	MM	2	0021B	1543
3	13	8	PISCATAWAY		NJ	H	4639971		15	0011B	2328
3	13	6	BRONX	NYC	NY	H	2125847130		1	0011J	2324
3	13	6	BKLYN	NYC	NY	F	2122847729		13	0011J	2212
3	13	6	BRONX	NYC	NY	F	2122317388		1	0011J	1830
3	13	6	BRONX	NYC	NY	G	2122317388		23	0011J	1259
3	13	8	BKLYN	NYC	NY	A	2126979153		1	0031J	1412
3	13	1	NEW YORK		NY	A	2129992121		1	0011J	1349
3	13	1	NEW YORK		NY	A	2129992121		1	0011J	1406
3	14	1	WESTWOOD		NJ	F	6668033	MM	2	0011B	1832
3	14	1	WESTFIELD		NJ	A	6545060		1	0021B	1236
3	14	6	BRONX	NYC	NY	H	2122317388		1	0031J	0016
3	14	6	BRONX	NYC	NY	F	2122317388		1	0011J	1759
3	14	1	NEW YORK		NY	A	2129992121		1	0011J	1647

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3	5	1	WESTWOOD		NJ	F	6668033	MM	20	0011B	1932
3	5	2	PARK RIDGE		NJ	F	2910310		146	0231B	1959
3	5	2	PLAINFIELD		NJ	A	7561048		25	0011B	1637
3	5	6	BRONX	NYC	NY	H	2122317388		14	0031J	2348
3	5	6	BRONX	NYC	NY	F	2122317388		17	0011J	1934
3	5	6	BRONX	NYC	NY	F	2122317388		17	0011J	1933
3	5	6	BRONX	NYC	NY	H	2122317388		10	0011J	0230
3	5	6	BRONX	NYC	NY	F	2122317388		17	0031J	1916
3	7	1	WESTWOOD		NJ	H	6668031	MM	40	0071B	0005
3	7	6	BKLYN	NYC	NY	G	2126338185		20	0031J	1933
3	7	6	BKLYN	NYC	NY	J	2122847729		10	0031J	1904
3	8	1	WESTWOOD		NJ	A	6668033	MM	20	0011B	1233
3	8	1	WESTWOOD		NJ	F	6668062		20	0011B	1810
3	8	2	NEWFOUNDLD		NJ	F	6076330		25	0010B	2101
3	8	6	BRONX	NYC	NY	F	2122317388		17	0021J	1704
3	8	8	QUEENS	NYC	NY	H	2124230770		10	0011J	2308
4	1	1	WESTWOOD		NJ	A	6668062	MM	32	0041B	1236

DATE	PLACE CALLED							
321	BRONX NYC	NY	A2122317388		23	0011J		1227
321	BRONX NYC	NY	E2122317388		25	0011J		1047
322	LYNBROOK	NY	F5165995562		29	0041J		2011
322	LYNBROOK	NY	F5165998255		24	0011J		2010
322	WESTWOOD	NJ	F 6668062	MM	20	0011B		2036
322	CRAGMERE	NJ	A 5271621		25	0021B		1652
322	NEW YORK	NY	A2129994242		17	0011J		1103
322	BKLYN NYC	NY	H2126624176		15	0011J		2309
322	BRONX NYC	NY	F2122317024		17	0031J		2015
323	PATCHOQUE	NY	A5166546377		50	0021J		1538
323	WESTWOOD	NJ	H 6668062	MM	20	0031B		0107
323	HOPATCONG	NJ	A 6633713		66	0051B		1630
323	NEW YORK	NY	H2129991313		10	0021J		2333
323	BRONX NYC	NY	A2126611414		17	0021J		1120
323	BRONX NYC	NY	F2122317024		22	0041J		2025
324	WESTWOOD	NJ	H 6668062	MM	20	0031B		0022
324	EATONTOWN	NJ	F 5426871		65	0071B		1805

DATE	PLACE CALLED							
324	BRONX NYC	NY	J2122317024		23	0011J		2506
324	BRONX NYC	NY	J2122317024		25	0021J		2011
324	BKLYN NYC	NY	H2127839023		23	0011J		0136
324	BKLYN NYC	NY	H2127839023		23	0011J		0119
324	BKLYN NYC	NY	J2122347123		23	0011J		1851
324	BKLYN NYC	NY	J2122347123		20	0031J		1726
325	WESTWOOD	NJ	F 6668031	MM	20	0011B		1821
326	WESTWOOD	NJ	F 6668031	MM	20	0011B		1824
326	WESTWOOD	NJ	F 6668031	MM	20	0010B		2234
326	GARWOOD	NJ	F 7890306		20	0011B		1910
326	NEW YORK	NY	A2126736760		22	0041J		1044
326	BRONX NYC	NY	A2122317024		23	0011J		1659
326	BRONX NYC	NY	F2122317024		17	0021J		1801
326	BRONX NYC	NY	A2122317024		23	0011J		1033
327	WESTWOOD	NJ	A 6668031		20	0010B		1402
327	WESTWOOD	NJ	A 6668031		20	0030B		1254
327	BRONX NYC	NY	A2122317024		23	0011J		1356

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								827	F	201		63 8847			
327	BRONX NYC	NY		212	2468622			13	0010J						2317
329	ALLENTOWN	PA	A	215	3950174			77	0041J						1602
329	WESTWOOD	NJ	H		668062			20	0030B						0131
329	BRONX NYC	NY	A	212	2317024			13	0011J						2326
329	BRONX NYC	NY	A	212	2317024			23	0021J						1228
329	BRONX NYC	NY	A	212	2317024			23	0011J						1505
329	ALLENTOWN	PA	E	215	3477161			5	0072J	P	2650	9058			
330	SOUTHRIVER	NJ	A		516493			31	0011B						0938
330	QUEENS NYC	NY	H	212	230771			13	0011J						0015
330	BKLYN NYC	NY	A	212	2668681			87	0171J						1110
331	EATONTOWN	NJ	F		542687			03	0051B						1926
331	EATONTOWN	NJ	F		426871			25	0021B						2126
331	BKLYN NYC	NY	A	212	2381861			13	0011J						1926
402	WESTWOOD	NJ	H		668033			23	0031B						2326
402	WESTWOOD	NJ	A		668033			23	0011B						1326
402	BRONX NYC	NY	A	212	2317024			23	0011J						2142
402	BRONX NYC	NY	A	212	2317024			17	0011J						1926

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								827		201		63 8847			
	QUEENS NYC	NY		212	2766222			MV 10	0011J						2313
	QUEENS NYC	NY		212	2766222			MV 17	0031J						1926
	QUEENS NYC	NY	F	212	9433131			13	0021J						2139
	QUEENS NYC	NY	F	212	4230771			17	0021J						2243
	QUEENS NYC	NY	A	212	2766222			MV 23	0011J						1600
	BRONX NYC	NY	A	212	2317024			23	0011J						1200
	BRONX NYC	NY	A	212	2317024			23	0011J						1629
	BRONX NYC	NY	A	212	2317024			23	0011J						1505
	BRONX NYC	NY	A	212	2317024			23	0011J						1326
	NEW YORK	NY	E	212	6629195			20	0021J						1129
	BRONX NYC	NY	A	212	2317024			23	0011J						1347
					TOTAL			3121							

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B - RECHARGE
C - CREDIT
P - PART CHG
R - PER CALL BACK
T - TIME & CHARGE
V - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE, F - EVENING RATE, H - NIGHT RATE, J - WEEKEND RATE, K - LATE NIGHT RATE

RATE CLASS — OPH: E - DAY RATE, G - EVENING RATE, I - NIGHT RATE, S - LATE NIGHT RATE; PERSON: L - DAY RATE, M - EVENING RATE, N - NIGHT RATE

TYPE: 0 - ONI, 1 - AMI, 2 - M/S SENT PD, 3 - STRADDLE, 4 - COLLECT 3RD PCR CD, 5 - TELEGRAM, 6 - MISC., 7 - MESSENGER

SETTLEMENT: 4 - INTRASTATE; ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL NO. 201 863 4847

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	*	MINS	T	S	TL	CYC	BAT	CARD CONN TN
329	PK RIDGE	NJ	A		391 4186			75	R	008	7	8		2350
405	WASHINGTON	DC	F	202	629 7657	4M		55		003	1	J		2256
405	YONKERS	NY	F	914	969 2974			22		004	1	J		1957
405	QUEENS NYC	NY	H	212	526 6942	cc		10		001	1	J		2323
405	BRONX NYC	NY	A	212	231 7024			23		001	1	J		1302
405	BRONX NYC	NY	F	212	231 7024			17		001	1	J		1917
405	QUEENS NYC	NY	H	212	446 4800			55		018	1	J		0010
406	WESTWOOD	NJ	A		666 8033	MM		20		001	1	8		1200
406	BOONTON	NJ	F		334 6445			32		003	1	8		1628
406	LAKEWOOD	NJ	A		928 1294			35		001	1	8		1546
406	BRONX NYC	NY	A	212	231 7024			23		002	1	J		1418
406	BRONX NYC	NY	A	212	231 7024			23		001	1	J		1201
406	QUEENS NYC	NY	F	212	426 4164			13		001	1	J		1958
407	NORWICH	NY	H	607	334 6195			46		003	1	J		0102
407	NEW YORK	NY	J	212	581 0166			10		001	1	J		1848
407	NEW YORK	NY	J	212	279 7189			10		002	1	J		1849
407	NEW YORK	NY	J	212	279 7189			10		002	1	J		1928

B - RECHARGE
C - CREDIT
P - PART CHG
R - PER CALL BACK
T - TIME & CHARGE
V - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE, F - EVENING RATE, H - NIGHT RATE, J - WEEKEND RATE, K - LATE NIGHT RATE

RATE CLASS — OPH: E - DAY RATE, G - EVENING RATE, I - NIGHT RATE, S - LATE NIGHT RATE; PERSON: L - DAY RATE, M - EVENING RATE, N - NIGHT RATE

TYPE: 0 - ONI, 1 - AMI, 2 - M/S SENT PD, 3 - STRADDLE, 4 - COLLECT 3RD PCR CD, 5 - TELEGRAM, 6 - MISC., 7 - MESSENGER

SETTLEMENT: 4 - INTRASTATE; ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL NO. 201 863 4847

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	*	MINS	T	S	TL	CYC	BAT	CARD CONN TN
407	NEW YORK	NY	J	212	832 8538			10		003	1	J			2234
408	QUEENS NYC	NY	F	212	276 6220	MV		17		001	1	J			2225
408	BRONX NYC	NY	F	212	231 7024			17		001	1	J			1947
409	TOMS RIVER	NJ	A		269 5473			40		001	1	8			1105
409	QUEENS NYC	NY	H	212	672 8092			13		004	1	J			2325
409	BKLYN NYC	NY	H	212	284 7729			10		001	1	J			2304
409	BRONX NYC	NY	A	212	231 7024			23		001	1	J			1227
409	BRONX NYC	NY	F	212	231 7024			17		001	1	J			2144
409	QUEENS NYC	NY	A	212	276 6220	MV		23		001	1	J			1145
409	QUEENS NYC	NY	F	212	276 6220	MV		17		002	1	J			2146
410	WESTWOOD	NJ	H		666 8033	MM		20		001	1	8			1721
410	WESTWOOD	NJ	H		666 8033	MM		10		001	1	8			2328
410	BRONX NYC	NY	H	212	231 7024			22		005	1	J			2383
410	BRONX NYC	NY	F	212	231 7024			17		002	1	J			1714
410	QUEENS NYC	NY	F	212	276 6220	MV		17		001	1	J			2231
410	NEW YORK	NY	F	212	999 2121			13		001	1	J			1746
411	WESTWOOD	NJ	F		666 8033	MM		20		001	1	8			1822

R - RECHARGE
C - CREDIT
P - PART CHG
B - PER CALL BACK
T - TIME & CHARGE
Y - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE, F - EVENING RATE, H - NIGHT RATE, J - WEEKEND RATE, K - LATE NIGHT RATE

RATE CLASS OPH: D - DAY RATE, G - EVENING RATE, I - NIGHT RATE, S - LATE NIGHT RATE

PERSON: L - DAY RATE, M - EVENING RATE, N - NIGHT RATE

TYPE: 0 - ON; 1 - ANI; 2 - M/S SENT PD; 3 - STRADDLE; 4 - COLLECT 3RD#CR CD; 5 - TELEGRAM; 6 - MISC; 7 - MESSENGER

SETTLEMENT: 0 - INTRASTATE; ALL OTHER CODES - INTERSTATE

May.

CUST CODE 897 TEL NO. 201 863 98

DATE	PLACE CALLED		R	AREA	TELEPHONE # NUMBER	AMOUNT	†	MINS	T	S	TL	CYC	BAT	CARD CONN TM
411	EATONTOWN	NJ	F		542 6578		25	001	1	8				21
411	QUEENS NYC	NY	H	212	276 6220	MV	10	001	1	J				23
411	BRONX NYC	NY	F	212	231 7024		17	001	1	J				17
411	BRONX NYC	NY	F	212	231 7024		17	002	1	J				18
412	FREEPORT	NY	F	516	868 9841		28	001	1	J				18
412	WESTWOOD	NJ	F		666 8033	MM	26	003	1	8				22
412	HOPATCONG	NJ	A		398 4068		35	001	1	8				15
412	BRONX NYC	NY	A	212	231 7024		23	001	1	J				16
412	BRONX NYC	NY	F	212	231 7024		17	002	1	J				22
412	QUEENS NYC	NY	F	212	276 6220	MV	17	001	1	J				20
412	QUEENS NYC	NY	A	212	276 6220	MV	23	001	1	J				11
412	QUEENS NYC	NY	H	212	276 6220	MV	10	001	1	J				23
412	QUEENS NYC	NY	H	212	276 6220	MV	10	001	1	J				23
413	QUEENS NYC	NY	F	212	276 6220	MV	22	004	1	J				22
414	QUEENS NYC	NY	J	212	276 6220	MV	14	001	1	J				16
414	QUEENS NYC	NY	J	212	276 6220	MV	14	001	1	J				14
414	NEW YORK	NY	H	212	924 9330		10	002	1	J				02

A 1477 (10-72)

R - RECHARGE
C - CREDIT
P - PART CHG
B - PER CALL BACK
T - TIME & CHARGE
Y - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE, F - EVENING RATE, H - NIGHT RATE, J - WEEKEND RATE, K - LATE NIGHT RATE

RATE CLASS OPH: D - DAY RATE, G - EVENING RATE, I - NIGHT RATE, S - LATE NIGHT RATE

PERSON: L - DAY RATE, M - EVENING RATE, N - NIGHT RATE

TYPE: 0 - ON; 1 - ANI; 2 - M/S SENT PD; 3 - STRADDLE; 4 - COLLECT 3RD#CR CD; 5 - TELEGRAM; 6 - MISC; 7 - MESSENGER

SETTLEMENT: 0 - INTRASTATE; ALL OTHER CODES - INTERSTATE

May.

CUST CODE 897 TEL NO. 201 863 9847

DATE	PLACE CALLED		R	AREA	TELEPHONE # NUMBER	AMOUNT	†	MINS	T	S	TL	CYC	BAT	CARD CONN TM
415	WESTWOOD	NJ	F		666 8033	MM	20	001	1	8				1513
415	QUEENS NYC	NY	H	212	746 4019		10	001	1	J				2306
415	QUEENS NYC	NY	F	212	746 4019		22	004	1	J				2200
415	BRONX NYC	NY	J	212	231 7024		22	005	1	J				1541
415	QUEENS NYC	NY	F	212	423 1770		17	001	1	J				2143
416	QUEENS NYC	NY	H	212	746 4019		10	001	1	J				0007
416	NEW YORK	NY	A	212	563 9294		17	002	1	J				1207
416	NEW YORK	NY	A	212	563 9294		17	001	1	J				1404
416	NEW YORK	NY	F	212	563 9294		13	002	1	J				1755
416	NEW YORK	NY	A	212	563 9294		17	003	1	J				1602
416	NEW YORK	NY	A	212	563 9294		17	003	1	J				1531
416	BRONX NYC	NY	F	212	231 7024		17	001	1	J				2156
416	BRONX NYC	NY	F	212	231 7024		17	001	1	J				1827
416	QUEENS NYC	NY	F	212	276 6220	MV	17	001	1	J				2155
416	BKLYN NYC	NY	F	212	284 7729		21	005	1	J				2232
417	NEW CITY	NY	F	914	634 6957		28	001	1	J				2055
417	NEW CITY	NY	F	914	634 6957		28	001	1	J				1948

† R - RECHARGE C - CREDIT P - PART CHG B - PER CALL BACK T - TIME & CHARGE V - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE F - EVENING RATE H - NIGHT RATE J - WEEKEND RATE K - LATE NIGHT RATE

RATE CLASS OPH: E - DAY RATE G - EVENING RATE I - NIGHT RATE S - LATE NIGHT RATE

RATE CLASS PERSON: L - DAY RATE M - EVENING RATE N - NIGHT RATE

TYPE: 0 - ONI 1 - AMI 2 - M/S SENT PD 3 - STRADDLE 4 - COLLECT 5 - TELEGRAM 6 - MISC 7 - MESSENGER

SETTLEMENT: 0 - INTRASTATE; ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL NO 201 863 884

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	S	TL	CYC	BAT	CARD CONN TM
417	WESTWOOD	NJ	F		6668033	MM	20	001	1	8				204
417	QUEENS NYC	NY	H	212	2766220	MV	10	001	1	J			✓	230
417	NEW YORK	NY	F	212	6312478		13	001	1	J				195
418	NEW YORK	NY	A	212	5639294		17	003	1	J				155
418	NEW YORK	NY	A	212	5639294		17	002	1	J				141
418	NEW YORK	NY	A	212	5639294		17	002	1	J				145
418	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				215
418	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				215
418	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				187
419	HOPATCONG	NJ	A		6633713		90	007	1	8				162
419	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				171
419	NEW YORK	NY	A	212	6660462		17	001	1	J				123
419	NEW YORK	NY	A	212	3548848		17	003	1	J				164
419	BRONX NYC	NY	H	212	2317024		18	004	1	J				001
420	WESTWOOD	NJ	F		6668033	MM	20	001	1	8				213
420	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				214
420	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				224

A-4477 (10-72) * CALL FORWARDED

† R - RECHARGE C - CREDIT P - PART CHG B - PER CALL BACK T - TIME & CHARGE V - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE F - EVENING RATE H - NIGHT RATE J - WEEKEND RATE K - LATE NIGHT RATE

RATE CLASS OPH: E - DAY RATE G - EVENING RATE I - NIGHT RATE S - LATE NIGHT RATE

RATE CLASS PERSON: L - DAY RATE M - EVENING RATE N - NIGHT RATE

TYPE: 0 - ONI 1 - AMI 2 - M/S SENT PD 3 - STRADDLE 4 - COLLECT 5 - TELEGRAM 6 - MISC. 7 - MESSENGER

SETTLEMENT: 0 - INTRASTATE; ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL NO 201 863 0847

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	S	TL	CYC	BAT	CARD CONN TM
420	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				2246
420	BKLYN NYC	NY	H	212	6338185		10	002	1	J				2346
420	NEW YORK	NY	A	212	5639294		17	002	1	J				1440
421	TOMS RIVER	NJ	F		3410503		34	003	1	8				2248
421	QUEENS NYC	NY	J	212	2766220	MV	14	001	1	J				1117
421	QUEENS NYC	NY	J	212	2766220	MV	14	001	1	J				1525
421	BRONX NYC	NY	J	212	2317024		14	002	1	J				1522
423	WESTWOOD	NJ	A		6668033	MM	20	001	1	8				1520
423	SUMMIT	NJ	F		4649631		32	004	1	8				1759
423	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				2232
423	BRONX NYC	NY	A	212	2317024		23	002	1	J				1522
424	DOVER	NJ	F		3616152		25	001	1	8				1953
424	WHIPPANY	NJ	F		8875763		25	001	1	8				1955
424	QUEENS NYC	NY	F	212	2766220	MV	17	001	1	J				2055
424	BKLYN NYC	NY	H	212	2827606		10	003	1	J				2357
424	BRONX NYC	NY	A	212	2317024		23	001	1	J				1006
424	QUEENS NYC	NY	F	212	4230770		22	004	1	J				2103

A-4477 (10-72)

† R - RECHARGE C - CREDIT P - PART CHG B - PER CALL BACK T - TIME & CHARGE Y - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE F - EVENING RATE H - NIGHT RATE J - WEEKEND RATE K - LATE NIGHT RATE

RATE CLASS OPH: E - DAY RATE G - EVENING RATE I - NIGHT RATE S - LATE NIGHT RATE

PERSON: L - DAY RATE M - EVENING RATE N - NIGHT RATE

TYPE: 0 - CHG 1 - ADD 2 - M/S SENT PD 3 - STRADDLE 4 - COLLECT, 3RD # OR CD 5 - TELEGRAM 6 - MISC. 7 - MESSENGER

SETTLEMENT: 8 - INTRASTATE ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL. NO. 201 863 884

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	S	TL	CYC	SAT	CAR
425	PERTHAMBOY	NJ	F		7389869		25	002	1	8				22
425	NEW YORK	NY	A	212	5639294		17	002	1	J				12
425	NEW YORK	NY	A	212	5639294		17	001	1	J				14
425	NEW YORK	NY	A	212	9476000		17	001	1	J				14
425	NEW YORK	NY	F	212	6312478		13	001	1	J				21
425	BRONX NYC	NY	F	212	2317024		17	001	1	J				22
425	NEW YORK	NY	H	212	9991313		10	001	1	J				23
426	BOONTON	NJ	F		3351313		32	003	1	8				17
426	TOMS RIVER	NJ	F		3410503		25	001	1	8				17
426	TOMS RIVER	NJ	F		3418911		43	004	1	8				22
426	BRONX NYC	NY	H	212	2317024		10	001	1	J				23
426	NEW YORK	NY	F	212	9991313		13	002	1	J				19
426	NEW YORK	NY	H	212	9991313		10	001	1	J				23
426	QUEENS NYC	NY	H	212	2766220	MV	10	001	1	J				23
426	QUEENS NYC	NY	A	212	2766220	MV	23	001	1	J				16
426	NEW YORK	NY	A	212	5639294		17	002	1	J				18
427	METUCHEN	NJ	A		5491222		25	001	1	8				18

A-4477 (10-79)

† R - RECHARGE C - CREDIT P - PART CHG B - PER CALL BACK T - TIME & CHARGE Y - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE F - EVENING RATE H - NIGHT RATE J - WEEKEND RATE K - LATE NIGHT RATE

RATE CLASS OPH: E - DAY RATE G - EVENING RATE I - NIGHT RATE S - LATE NIGHT RATE

PERSON: L - DAY RATE M - EVENING RATE N - NIGHT RATE

TYPE: 0 - CHG 1 - ADD 2 - M/S SENT PD 3 - STRADDLE 4 - COLLECT 3RD FOR CD 5 - TELEGRAM 6 - MISC. 7 - MESSENGER

SETTLEMENT: 8 - INTRASTATE ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL. NO. 201 863 884

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	S	TL	CYC	SAT	CAR
427	NEW YORK	NY	H	212	9991313		10	001	1	J				00
427	NEW YORK	NY	H	212	9991313		10	001	1	J				23
428	NEW YORK	NY	H	212	9991313		10	001	1	J				02
428	NEW YORK	NY	J	212	9991313		10	002	1	J				18
428	NEW YORK	NY	J	212	9991313		10	001	1	J				17
428	NEW YORK	NY	J	212	9991313		10	002	1	J				17
428	NEW YORK	NY	J	212	9991313		10	001	1	J				18
428	NEW YORK	NY	J	212	9991313		10	001	1	J				18
428	NEW YORK	NY	J	212	9991313		10	002	1	J				18
428	QUEENS NYC	NY	J	212	4230770		14	001	1	J				18
428	QUEENS NYC	NY	J	212	2766220	MV	14	001	1	J				18
428	NEW YORK	NY	J	212	6891840		10	001	1	J				18
429	WESTWOOD	NJ	F		6666033	MM	20	001	1	8				18
429	BKLYN NYC	NY	J	212	2847729		10	001	1	J				14
430	WHIPPANY	NJ	F		3860135		25	001	1	8				22
430	METUCHEN	NJ	A		5491222		25	002	1	8				12
430	METUCHEN	NJ	F		5491222		25	001	1	8				21

A-4477 (10-79)

R - RECHARGE
C - CREDIT
P - PAR CHG
B - PER CALL BACK
T - TIME & CHARGE
V - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE, F - EVENING RATE, H - NIGHT RATE, J - WEEKEND RATE, K - LATE NIGHT RATE

RATE CLASS OPH: E - DAY RATE, G - EVENING RATE, I - NIGHT RATE, S - LATE NIGHT RATE

PERSON: L - DAY RATE, M - EVENING RATE, N - NIGHT RATE

TYPE: 0 - CHG, 1 - ANI, 2 - M/S SENT PD, 3 - STRADDLE, 4 - COLLECT, 3RD PER CD, 5 - TELEGRAM, 6 - MISC, 7 - MESSENGER

SETTLEMENT: 0 - INTRASTATE, ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL NO 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE * NUMBER	AMOUNT	*	MINS	T	S	TL	CYC	BAT	CARD CONN TM
504	NEW YORK	NY	A	212	5639294	17		001	1	J				1519
504	NEW YORK	NY	A	212	5639294	17		002	1	J				1221
504	NEW YORK	NY	A	212	5639294	17		001	1	J				1557
504	BRONX NYC	NY	F	212	2317024	17		002	1	J				1750
502	FROM BRONX	NY	E		9933316	20		002	4	J	RM			1547
					TOTAL	3450								

A-4477 (11-72)

R - RECHARGE
C - CREDIT
P - PART CHG
B - PER CALL BACK
T - TIME & CHARGE
V - REQ. TO NOTIFY

STATION DIALED: A - DAY RATE, F - EVENING RATE, H - NIGHT RATE, J - WEEKEND RATE, K - LATE NIGHT RATE

RATE CLASS OPH: E - DAY RATE, G - EVENING RATE, I - NIGHT RATE, S - LATE NIGHT RATE

PERSON: L - DAY RATE, M - EVENING RATE, N - NIGHT RATE

TYPE: 0 - CHG, 1 - ANI, 2 - M/S SENT PD, 3 - STRADDLE, 4 - COLLECT, 3RD PER CD, 5 - TELEGRAM, 6 - MISC, 7 - MESSENGER

SETTLEMENT: 0 - INTRASTATE, ALL OTHER CODES INTERSTATE

May

CUST CODE 897 TEL NO 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE * NUMBER	AMOUNT	*	MINS	T	S	TL	CYC	BAT	CARD CONN TM
430	PERTHAMBOY	NJ	F		7389859	21		002	1	A				2322
430	QUEENS NYC	NY	F	212	4230770	17		001	1	J				2055
430	QUEENS NYC	NY	F	212	4230770	17		001	1	J				2033
501	WHIPPANY	NJ	A		3860135	33		003	1	B				1313
501	PTPLEASANT	NJ	F		2959492	25		002	1	B				1734
501	ISLAND HTS	NJ	F		2448660	115		012	1	B				2028
501	QUEENS NYC	NY	F	212	6728092	33		008	1	J				2235
501	QUEENS NYC	NY	F	212	4299406	13		002	1	J				2218
501	NEW YORK	NY	A	212	4736760	17		002	1	J				1129
501	NEW YORK	NY	F	212	2470819	13		001	1	J				1702
501	QUEENS NYC	NY	F	212	2766220	- MV 17		001	1	J				2245
502	BRONX NYC	NY	F	212	2317024	17		002	1	J				2005
503	HOPATCONG	NJ	A		6633713	68		005	1	B				1610
503	ALLENTOWN	PA	E	215	4347161	190	T	009	2	J	P	28912		1749
504	WHIPPANY	NJ	A		3860135	33		003	1	B				1533
504	TOMS RIVER	NJ	H		3410503	31		003	1	B				0121
504	TOMS RIVER	NJ	A		3410503	40		002	1	B				0934

GOVERNMENT'S

EXHIBIT
U. S. DIST. COUR
S. D. OF N. Y.
29C

† R - RECHARGE C - CREDIT P - PARTY CHG B - PER CALL BACK T - TIME & CHARGE V - REQ. TO NOTIFY

STATION DIALED A - DAY RATE F - EVENING RATE H - NIGHT RATE J - WEEKEND RATE K - LATE NIGHT RATE

RATE CLASS OPH E - DAY RATE G - EVENING RATE I - NIGHT RATE S - LATE NIGHT RATE

PERSON L - DAY RATE M - EVENING RATE N - NIGHT RATE

TYPE 0 - CBS 1 - ADS 2 - MS SENT PD 3 - STRADDLE 4 - COLLECT 5 - TELEGRAM 6 - MISC. 7 - MESSENGER

SETTLEMENT 0 - INTRASTATE ALL OTHER CODES INTERSTATE

CUST CODE 897 TEL NO 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	S	TL	CYC	SAT	CARD CONN'G
505	OAKLAND	NJ	F		3378313	25		001	1	B				21
505	EATONTOWN	NJ	F		5422878	33		003	1	B				20
505	EATONTOWN	NJ	F		5422878	25		001	1	B				17
505	NEW YORK	NY	J	212	5644400	10		001	1	J				17
506	LONGBRANCH	NJ	F		2221908	25		001	1	B				15
506	BRONX NYC	NY	F	212	2317024	17		001	1	J				17
506	QUEENS NYC	NY	F	212	2761220	17	MV	001	1	J				22
507	WESTWOOD	NJ	F		6668062	26	MM	003	1	B				22
507	ASBURYPARK	NJ	A		7766262	85		002	1	B				11
507	LONGBRANCH	NJ	A		2225574	27		004	1	B				11
507	QUEENS NYC	NY	F	212	8943316	13		001	1	J				22
507	BKLYN NYC	NY	A	212	7685515	17		001	1	J				11
508	YONKERS	NY	F	914	9692974	17		002	1	J				20
508	ASBURYPARK	NJ	F		7766262	41		004	1	B				17
508	BRONX NYC	NY	A	212	2310724	23		001	1	J				13
508	BRONX NYC	NY	H	212	2317024	10		002	1	J				23
508	BRONX NYC	NY	A	212	2317024	23		001	1	J				23
508	BRONX NYC	NY	A	212	2317024	23		001	1	J				1223
508	NEW YORK	NY	A	212	9991313	17		002	1	J				1641
508	NEW YORK	NY	A	212	9991313	17		002	1	J				1601
508	NEW YORK	NY	F	212	9991313	13		002	1	J				1759
508	NEW YORK	NY	A	212	9991313	17		001	1	J				1345
508	NEW YORK	NY	A	212	9991313	17		002	1	J				1515
508	NEW YORK	NY	A	212	9991313	17		001	1	J				1438
508	NEW YORK	NY	A	212	9991212	17		001	1	J				1344
508	NEW YORK	NY	A	212	9991313	17		002	1	J				1453
509	SMYRNA	GA	H	404	4329032	20		001	1	J				0202
509	WESTWOOD	NJ	F		6663033	20		001	1	B				2102
509	CRAGMERE	NJ	F		5291621	81		010	1	B				2152
509	EATONTOWN	NJ	F		5422878	25		002	1	B				1931
509	NEW YORK	NY	A	212	5639294	17		001	1	J				1418
509	NEW YORK	NY	F	212	9991313	13		001	1	J				1837
509	QUEENS NYC	NY	F	212	2761220	17	MV	001	1	J				2121
510	NEW YORK	NY	A	212	5860023	17		001	1	J				1036

B - RECHARGE
C - CREDIT
P - PART CHG
R - PER CALL RACK
T - TIME & CHARGE
V - REQ. TO NOTIFY

STATION DIALED
A - DAY RATE
F - EVENING RATE
H - NIGHT RATE
J - WEEKEND RATE
K - LATE NIGHT RATE

RATE CLASS
OPH
E - DAY RATE
G - EVENING RATE
I - NIGHT RATE
S - LATE NIGHT RATE

PERSON
L - DAY RATE
M - EVENING RATE
N - NIGHT RATE

TYPE
0 - 000
1 - ANI
2 - W/S SENT PD
3 - STRADDLE
4 - COLLECT
5 - 3RD PCS
6 - TELEGRAM
7 - MISC.
8 - INTRASTATE
9 - ALL OTHER CODED INTERSTATE

CUST CODE 897 TEL NO 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE # NUMBER	AMOUNT	↑	MINS	T	D	TL	CYC	BAT	CARD COMM'N
511	CRAGMERE	NJ	F		5291621		39	004	1	B				182
514	WESTWOOD	NJ	F		6663033	MM	20	002	1	B				186
514	NEW YORK	NY	A	212	5639294		17	003	1	J				159
514	NEW YORK	NY	A	212	5639294		17	001	1	J				131
514	BRONX NYC	NY	F	212	2317024		17	001	1	J				186
514	NEW YORK	NY	A	212	5860023		17	001	1	J				120
515	NEW YORK	NY	F	212	5644400		13	001	1	J				175
515	NEW YORK	NY	A	212	5639294		17	001	1	J				131
515	NEW YORK	NY	F	212	5639294		13	003	1	J				211
515	NEW YORK	NY	F	212	5639294		13	001	1	J				221
515	NEW YORK	NY	A	212	2478803		17	003	1	J				118
515	NEW YORK	NY	A	212	7899039		17	002	1	J				161
516	HOPATCONG	NJ	F		6633713		81	009	1	B				186
516	LONGVALLEY	NJ	F		8768800		25	001	1	B				170
516	QUEENS NYC	NY	F	212	6728092		29	007	1	J				221
516	NEW YORK	NY	A	212	5639294		17	001	1	J				120
516	BKLYN NYC	NY	F	212	7839025		13	002	1	J				212

A-4477 (10-7

B - RECHARGE
C - CREDIT
P - PART CHG
R - PER CALL BACK
T - TIME & CHARGE
V - REQ. TO NOTIFY

STATION DIALED
A - DAY RATE
F - EVENING RATE
H - NIGHT RATE
J - WEEKEND RATE
K - LATE NIGHT RATE

RATE CLASS
OPH
E - DAY RATE
G - EVENING RATE
I - NIGHT RATE
S - LATE NIGHT RATE

PERSON
L - DAY RATE
M - EVENING RATE
N - NIGHT RATE

TYPE
0 - 000
1 - ANI
2 - W/S SENT PD
3 - STRADDLE
4 - COLLECT
5 - 3RD PCS CD
6 - TELEGRAM
7 - MISC
8 - INTRASTATE
9 - ALL OTHER CODED INTERSTATE

CUST CODE 897 TEL NO 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE # NUMBER	AMOUNT	↑	MINS	T	D	TL	CYC	BAT	CARD COMM'N
517	NEW YORK	NY	F	212	9991313		13	001	1	J				1819
518	LAKEWOOD	NJ	F		3673425		25	001	1	B				2000
518	NEW YORK	NY	A	212	5639294		17	001	1	J				1254
518	NEW YORK	NY	F	212	2453755		13	001	1	J				2205
520	CRAGMERE	NJ	F		5291621		20	007	1	B				2033
520	RAMSEY	NJ	F		8258522		39	004	1	B				1348
520	BRONX NYC	NY	F	212	2317024		47	009	1	J				2241
521	YONKERS	NY	A	914	4706949		23	001	1	J				1445
521	SUMMIT	NJ	F		4649831		20	001	1	B				1915
521	NEW YORK	NY	A	212	5639294		17	001	1	J				1312
521	NEW YORK	NY	A	212	5639294		17	001	1	J				1641
521	NEW YORK	NY	A	212	9476000		17	002	1	J				1642
522	NEW YORK	NY	F	212	7593000		17	004	1	J				1923
523	YONKERS	NY	A	914	4706949		23	001	1	J				1352
523	VALLEYSTRM	NY	F	516	5610030		24	001	1	J				2148
523	WESTWOOD	NJ	H		6663033	MM	15	002	1	B				0003
523	BRONX NYC	NY	H	212	2317024		10	001	1	J				0002

A-4477 (10-7

WALLS JAY

6/26/79

CUST CODE 897 TEL NO. 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	B	TL	CYC	BAT	CARD CONN'T
524	ALLENTOWN	PA	F	215	4391533	50		008	1	J				184
524	HOPATCONG	NJ	A		6638713	79		006	1	B				163
524	NEW YORK	NY	A	212	5639294	17		001	1	J				131
524	NEW YORK	NY	A	212	4736760	32		006	1	J				110
525	QUEENS NYC	NY	F	212	4299406	13		001	1	J				224
526	SO BOSTON	MASS	J	617	2691709	118		008	1	J				202
526	CLOSTER	NJ	F		7671865	15		001	1	B				134
526	QUEENS NYC	NY	J	212	4782086	10		001	1	J				195
526	QUEENS NYC	NY	J	212	4299406	10		001	1	J				221
526	QUEENS NYC	NY	H	212	4299406	10		001	1	J				001
526	BKLYN NYC	NY	H	212	2847729	10		003	1	J				025
528	KEANSBURG	NJ	F		4951093	39		004	1	B				223
529	WESTWOOD	NJ	F		6668033	20		001	1	B				220
529	QUEENS NYC	NY	F	212	4236698	17		001	1	J				223
529	BKLYN NYC	NY	A	212	6252160	17		002	1	J				150
530	WESTWOOD	NJ	A		6668033	20		001	1	B				113
530	BKLYN NYC	NY	F	212	3891698	13		001	1	J				223

CUST CODE 897 TEL NO. 201 863 8847

DATE	PLACE CALLED		R	AREA	TELEPHONE NUMBER *	AMOUNT	†	MINS	T	B	TL	CYC	BAT	CARD CONN'T
530	BKLYN NYC	NY	F	212	3891698	13		003	1	J				2244
531	SMYRNA	GA	F	404	4329032	145		007	1	J				1816
531	BUTLER	NJ	A		8386868	25		001	1	B				1416
531	QUEENS NYC	NY	A	212	9372840	17		001	1	J				1353
601	DOVER	NJ	A		3613211	20		001	1	B				1615
601	HOPATCONG	NJ	A		6638713	90		007	1	B				1634
601	QUEENS NYC	NY	F	212	4299406	13		002	1	J				2254
602	QUEENS NYC	NY	H	212	4299406	10		001	1	J				0058
603	SMYRNA	GA	H	404	4329032	215		014	1	J				2318
603	WESTWOOD	NJ	F		6668033	20		001	1	B				2229
603	TOMS RIVER	NJ	F		2699897	25		001	1	B				1409
506	FROM SLOTSBG	NY	M		753	80		001	4	J	RW	2647		2047
529	FROM BRONX	NY	E		9933316	20		002	4	J	RM			1416
					TOTAL	2761								

A-4477 (10

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
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POLICE DEPARTMENT, NORTH BERGEN, N.J. Bl 83 # 316 Record Bureau No.

Teletype No. 12808 Crime No. D-2409

REPORT OF STOLEN MOTOR VEHICLE

License No. XS 4232 Make GMC Type STEP VAN

Motor No. Serial No. PC 18366 Year 67 Color Blue

Time and Date Reported 5:20 AM 4/2/73 Time and Date Stolen 5:00 PM 3/30 2:00 AM 4/2

Where Stolen 284 Ft. off Pat. Plk. Rd

Complainant Richard Schwartz Address 2815 Pat. Plk. Rd. N.B.

Phone No. 914-220-3228 Business Phone No. 565-8788

Owner Harry Schwartz Farm Co. Address 2815 Pat. Plk Rd. N.B

Car Insured ? What Company

Type and Color Wheels

Recovered by N.Y.C.P.D. 9th Pct. Date and Time 4-10-73 Where N.Y.C.P.D

Owner Notified by Sgt. Schultz

Valued at $550.

Reported to Sergt. Doll

Form No. 30P—D. of P.S.—3000—12/72—D8441

2585a

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CALLS AND TELEGRAMS

PAGE NUMBER 1 | BILL DATE 4- 7-73 | *21* 202 829 7657

DATE	PLACE	CALLED	AREA	TELEPHONE NO.	AMOUNT	C/R	SETTL	TYPE	CLASS	DIAL	MIN	RAO	CYCLE	BATCH	CARD CONN TIME	O R
3 22	NEW YORK	NY	212	581 7000	.70		1	1	2	A	4				1752	
3 22	NEW YORK	NY	212	581 7000	2.20		1	1	2	A	14				1807	
3 22	NEW YORK	NY	212	581 7000	.55		1	1	2	A	2				2004	
3 22	NEW YORK	NY	212	581 7000	.55		1	1	2	A	1				2229	
3 23	NEW YORK	NY	212	581 7000	.62		1	1	5	A	4				0012	
3 23	NEW YORK	NY	212	581 7000	.48		1	1	5	A	3				0651	
3 23	NEW YORK	NY	212	581 7000	.80		1	1	1	A	1				1332	
3 23	NEW YORK	NY	212	581 7000	.70		1	1	2	A	4				2117	
3 26	QUEENS NYC	NY	212	276 6220	.80		1	1	1	A	1				1155	
3 26	QUEENS NYC	NY	212	276 6220	.55		1	1	2	A	1				1917	
4 4	QUEENS NYC	NY	212	276 6220	.80		1	1	1	A	2				1431	
4 4	QUEENS NYC	NY	212	276 6220	.80		1	1	1	A	3				1554	
				TOTAL	9.55											

CRB 171

N HOTEL GUEST & PERSON CALL BACK | C R C - PARTIAL CREDIT AF R - RL S - SL | T 1-SENT PAID 4-COLLECT | C 1-STATION DAY 2-STATION NIGHT | D A-ANI 1-ONI | R O H=QUOTED HIGHER L=QUOTED LOWER S=QUOTED SAME

FROM PAY _____ BRING-UP

MAR 7 73

202 829 7657

CUS CD 026 | BO CD 21

032704030409

MRS L MYERS
135 KNNDY ST #207 NW2
WASHINGTON DC 20011

	DATE ACCT EST D MO	YR	CREDIT VERIFIED MO	YR	DEPOSIT	CUI
CC	06	70	06	70		

TAX 11 TAR 9000 CSN
MIN TREAT 30 ACCT DT TOLL DIS CR
E D PRIOR TREAT 010100000 NPS
0 PNT PP DATE CS FRT MU ALL MU CR CUR MU

PAYMENTS - ADJUSTMENTS

TYPE	DATE	AMOUNT	BATCH
1	02 14	12 22	020

PEOPLES DRUG STORE 70 COUNTER GRL 4621234

PRIOR MU | PRIOR TOLL

216	FROM LORTON	VA	703	690	35	142	2025	2060	005	12	55	LS			
	TOTAL				35							MU			
											35	C			
												OCC			
												DA			
											117	US			
											63	LO	TOT		
											13	SR	BAL	5	70
											1587	BAL			
											30	70	TOT	BAL	

DATE | PLACE CALLED | S | C | D | N TIME CARD | O R

TYPE CREDIT OR DEBIT
1 PAYMENT
2-8 ADJUST
9 DIS CHECK

PRIOR TREAT HISTORY
0 NO TREAT
1 RN
2 DN
3 VN
4 DENIAL
8 SEMIPUBLIC (NO COLLECTION)
9 NO HISTORY

PROM PAY

BRING-UP

APR 7 73

MRS L MYERS
135 KNNDY ST #207 NW2
WASHINGTON DC 20011

202 829 7657

CUS CD 026 | BO CD 21
0525

DATE ACCT EST'D MO YR | CREDIT VERIFIED MO YR | DEPOSIT | CCH | PAYMENTS - ADJUSTMENTS: TYPE | DATE | AMOUNT | BATCH

CC 06700670
TAX 11 TAR 9000 CSN
MIN TREAT 30 ACCT PT TOLL DIS CK
ED PRIOR TREAT 101000001 PP 5
0 PNT PP DATE CL SV FRT MU ALL MU CR CUR MU

10329 2500921

TYPE CREDIT OR DEBIT: 1 PAYMENT 2 ADJUST 9 DIS CHECK

PRIOR TREAT HISTORY: 0 NO TREAT 1 RN 2 DN 3 VN 4 DENIAL 8 SEMI PUBLIC 9 NO HISTORY

PEOPLES DRUG STORE 70 COUNTER GRL 4621234

PRIOR MU | PRIOR TOLL

SEE SUPPLEMENTAL STATEMENT

1255	LS
	MU
955	C
	OCC
	DA
200	US
63	LO
13	SR
570	BAL
3056	TOT

DATE | PLACE CALLED | CL TY | SV TP | CL AS | DIA | MIN | RAD | CYCLE | BATCH | CONN TIME | CARD | OR

PROM PA. 2/dl ... NO 2-6 35.01 - INT

82-1 med-u Rx

6-5 IC Mrs mld IFtod a dis (pt)

BRING-UP

MAY 7 73

MRS L MYERS
135 KNNDY ST #207 NW2
WASHINGTON DC 20011

202 829 7657

CUS CD 026 | BO CD 21
052506040608

DATE ACCT EST'D MO YR | CREDIT VERIFIED MO YR | DEPOSIT | CCH | PAYMENTS - ADJUSTMENTS: TYPE | DATE | AMOUNT | BATCH

CC 06700670
TAX 11 TAR 9000 CSN
MIN TREAT 30 ACCT PT TOLL DIS CK
ED PRIOR TREAT 010000010 PP 5
0 PNT PP DATE CL SV FRT MU ALL MU CR CUR MU

TYPE CREDIT OR DEBIT: 1 PAYMENT 2 ADJUST 9 DIS CHECK

PRIOR TREAT HISTORY: 0 NO TREAT 1 RN 2 DN 3 VN 4 DENIAL 8 SEMI PUBLIC 9 NO HISTORY

PEOPLES DRUG STORE 70 COUNTER GRL 4621234

PRIOR MU | PRIOR TOLL 9

1255	LS
	MU
	C
	OCC
	DA
114	US
63	LO
13	SR
3056	BAL
4501	TOT

DATE | PLACE CALLED | CL TY | SV TP | CL AS | DIA | MIN | RAD | CYCLE | BATCH | CONN TIME | CARD | OR

GOVERNMENT'S
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2587a

Last Name (Print) HOLDER First Name (Joseph) Middle Name EILEEN MARY

Res. Address 17 Jefferson Ave ~~Ridgefield Pk.~~ City Jersey City State NJ.

Name of Firm OWENS ILL Position Maintenance Dept. CLERK Length of time 4 YRS

Business Address 91st St. N. B. Address 869-3400 Phone 823-3814

References — Name

Clare Hasch 930 Ave. C Bayonne

2 Guys Inn County Ave. Sec. (wife Emp) (few months) 865-9561

~~65?-5449~~

Res. Phone ~~348-4499~~ Bus. Phone 869-3400

Date of Birth	Height	Weight	Eyes	Hair
4/29/46	5'9	150	BLUE	BRN

The foregoing representations are made under the pains and penalties of perjury for the purpose of obtaining automobile rental service, and I will notify the company if I change my place of employment.

Customer Signature Eileen Holder

2588a

ECONO-CAR

QUALIFICATION CARD

TIME 8/16/72

H6225-19774-54464

LIC. NO. _____ STATE NJ. EXP. 5/31/73

DOB 4/46

Means of Identification _____

Address 242 Bowers St. Jersey City, NJ.

_____

Sam Harbert - ver. empl.

Home Dick Steinert - plant engineer

Emp. _____

R. _____

_____

Medium of Result _____

Application Taken By _____

Approved By _____ Approved By _____

CHANGE OF ADDRESS PHONE

Date _____ Res. _____

_____

Bus. _____

Date Reason

N.G. _____

E

ECONO-CAR RENTAL SYSTEM

2589a

No. 515770

Renting Station

ECONO-CAR OF NORTH HUDSON

801 SIP STREET

UNION CITY, NEW JERSEY 07087

201/867-7863

Vehicle Make & Type: Chevy Wagon Blue

Vehicle No. 73-390

License No. YKT-127.

State

Local Station Code

Owner City

Method of Payment — Check One

Cash	Econo-Car	Amex.	Diner's
Carte Blanche	Master Charge	Bank Americard	Other

Credit Card & No.

Customer Name: Eileen Holder.

Address: 2 Ridgeley Pl.

City & State: Weehawken, NJ 7

Firm Name

Firm Address

City | State

Local Contact Name

Local Address: 3/20/73 PM | Local Phone: 6 + 60 00

Vehicle Will Be Returned On: 3/23/73. | Deposit: 30 00 + 30 00

Vehicle Will Be Returned To: Loc

Vehicle Will Be Used Only In States of: NJ. NY.

Check-Out ☐ Spare ☐ Jack

Check-In ☐ Spare ☐ Jack

Collision Damage Waiver — Accepts (E.H.) | Declines

Customer Responsibility $

Special Instructions — Additional Information

gas in - ½.
gas out - empty

Additional Driver's License # | State | Expiration Date

NO ADD'L DR

Signature of Additional Driver

Customer's Driver's License #

RENTAL CHARGE COMPUTATION

Miles @ 15¢	346	65
Hours @		
Days 1.13 99	69	95
Weeks @	104	60
Months @		
Total Time and Mileage		
Net Charges	104	60
Inter-City Fee		
$2 00 Per Day		
$ Per Week	10	00
Total Taxable Charges	114	60
Tax @ 5 %	5	73
Sub-Total	120	33
Damage-Violation ☐ Gas ☐ Other ☐		
Total Charges	120	33
Deduct Deposit	120	00
Sub-Total		33
Deduct Gas ☑ Oil ☐ Repairs ☐		25
Net Amount Due →	less 7	35
Refund (If Any)	7	77

Mileage In	909
Out	678
Mileage Driven	231
Plus Alt. Veh. Mileage	
Final Check-In Total Mileage	
Final Check-In: Date & Time	3/26/73 A.M. P.M.
Date & Time Out	3/26/73 6 A.M. P.M.
Total Time Used	5 days

ALTERNATE VEHICLE

Vehicle No.

License No.

Mileage In	
Mileage Out	
Mileage Driven	

Date and Time of Exchange A.M. P.M.

Designate PAID or CHARGE

in full 3/26/73 Cash (RE)

In By (RE)

Refund Received By

CUSTOMER AGREES TO PAY THE TOTAL CHARGES SHOWN HEREON AND IS RESPONSIBLE FOR ALL TRAFFIC AND PARKING VIOLATIONS

ONLY AUTHORIZED PERSONS MAY DRIVE THIS VEHICLE

ALL CHARGES AND REMITTANCES MUST BEAR THIS NUMBER

2 No. 515770

ECO-3 PAGE 2 ORIGINAL

1778 2590a

JIM'S AUTO BODY SERVICE

24 Hour Towing - General Auto & Body Repairing
Free Estimates - Inspection Station
R. D. 2 Berwick, Pa. (Berwick-Orangeville Hwy.)
Phone: 717-759-8583

DATE 2/23

TIME PROMISED A.M. P.M.

BILL TO Alexander Towing FLEET # LEASE #

ADDRESS

CUSTOMER'S NAME

ADDRESS CITY

YEAR | TYPE OR MODEL | MAKE | LICENSE NO.

MOTOR NO. | SERIAL NO. | SPEEDOMETER

DELIVERY DATE | TRANS. NO. | DIFF. NO. | PHONE RES. | BUS.

PAINT & TRIM NO. | BODY NO. | STYLE NO.

CUST. ORDER NO.

WRITTEN BY

DELIVER YES ☐ NO ☐

PHONE WHEN READY YES ☐ NO ☐

SALE AMOUNT	LABOR CHARGE
CHANGE OIL ☐	
LUBRICATE ☐	
CHANGE OIL FILTER CART. ☐	
SERVICE AIR CLEANER ☐	
PACK WHEEL BRGS. ☐	
ADJ. BRAKES ☐	
CHANGE TRANS. OIL ☐	
CHANGE DIFF. OIL ☐	
PACK U-JOINTS ☐	
ALIGN WHEELS ☐	
ROTATE TIRES ☐	
WASH ☐	
POLISH ☐	

OPER. NO. | REPAIR ORDER — LABOR INSTRUCTIONS

towing 1978 Chev Wagon

30.00

Paid in full

Cash

TOTAL PARTS

SUBLET REPAIRS

TOTAL SUBLET REPAIRS

ACCESSORIES

TOTAL ACCESSORIES

I hereby authorize the above repair work to be done along with necessary materials. You and your employees may operate above vehicle for purposes of testing, inspection or delivery at my risk. An express mechanic's lien is acknowledged on above vehicle to secure the amount of repairs thereto. You will not be held responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft, accident or any other cause beyond your control.

SIGNED

TERMS: STRICTLY CASH UNLESS ARRANGEMENTS MADE

GALS. GAS @

QTS. OIL @

LBS. GREASE @

AUTO. TRANS. OIL

TOTAL GAS, OIL & GREASE

☐ CASH ☐ CHARGE ☐ INTERNAL

OK'D BY

INTERNAL SUMMARY			
ACCT	CHARGE	COST	
			LABOR
			PARTS
			ACCESSORIES
			GAS, OIL & GREASE
			PAINT MATERIAL
			SUBLET REPAIRS
			SUB TOTAL
			TAX
			TOTAL AMOUNT

THANK YOU

GOVERNMENT'S
EXHIBIT
S. DIST. COURT
S. D. OF N. Y.
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2591a

PALISADES TOWING CORP.
Foot of Roosevelt Pl.
PALISADES PARK, N. J. 07650
947-6676

CUSTOMER'S ORDER NO.	PHONE	DATE
		Sept 21, 1973

NAME
ADDRESS World Service
for Life

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT	

	1973 Chev St. Wagon	
	Chgs Paid Out	30.00
	Tow Service From Penn. to Pal. Pk, N.J.	150.00
	Storage 2.00 Per Day 30 Days	60.00
	TAX	12.00
RECEIVED BY	TOTAL	252.00

All claims and returned goods MUST be accompanied by this bill.

1140

Thank You

R 92287

R 287 Rotary No. 30 Ja. No. Control No.

NO. 3212 A.M. Rte. & Fit. No. Seal No.

GENERAL P. O. N. Y. N. Y.

(P.O.—or R.P.O. and Tr. No.)

REGISTE

Postmark of 5 1973 Dispatching Office

Postmark of 5 1973 Dispatching Office

*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN
F	2769	11	
F	2768	12	
F	2767	13	
		14	
		15	
		16	
		17	
		18	
		19	
		20	

Bill No. B212

A.M. Rte. & Fit. No.

Jacket No.

Lock No.

Rotary No.

Seal No.

Received articles described on above-specified bill from dispatching office named in postmark.

Receiving Clerk

(Use back for reporting irregularities or discrepancies)

al of 3 articles sent by this dispatch

POSTMASTER, Lee Jones

4 P. M.

Dispatching Clerk.

Postmark of

Receiving Office

al of articles received in this dispatch

POSTMASTER,

M.

Receiving Clerk.

Postmark of

Receiving Office

...m 3853—Feb. 1971

*Write "O" if outside piece, and show destination.

☆ U.S. GOVERNMENT PRINTING OFFICE: 1972—484-401

2592a

GOVERNMENT EXHIBIT
U.S. DIST. CT.
S. D. OF N. Y.
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Lock No. R4. 28 Rotary No. 95 Jack No. ..... Control No. .....

BILL NO. B213 Page No. 1 A.M. Rte. & Flt. No. ..... Seal No. .....

To GENERAL P. O. N. Y. N. Y. LETTERS AIR MAIL REGISTERED

(P.O.—or R.P.O. and Tr. No.)

	*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN			*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	
1	F 2740	F 2764 X	F 2755 X	11	C 55921 -	C 55917 -	
2	2746	2762 X	2761 X	12	55928 -	55922 -	
3	2745	2766 X	2760 X	13	55929 -	55936 -	
4	2737	2759 X	F 2757 X	14	55935 -	C 55923 -	
5	2747	2753 X	C 55926 -	15	55918 -	F 2749 -	
6	2750	2765 X	55930 -	16	55933 -	F 2738 -	
7	2741	2763 X	55931 -	17	55924 -	F 2752 X	
8	2736	2756 X	55927 -	18	55925 -	V 325	
9	2735	2754 X	55932 -	19	55920 -	H 0420 -	
10	F 2739	F 2758 X	C 55934 -	20	C 55919 -	H 0421 -	

A total of ..... articles sent by this dispatch

POSTMASTER, ... M.

..... Dispatching Clerk.

Postmark of ..... Receiving Office

total of ..... articles received in this dispatch

POSTMASTER, ... M.

..... Receiving Clerk.

Postmark of ..... Receiving Office

Postmark of APR 5 1973 NEW YORK N.Y. Dispatching Office

Bill No. B213

A.M. Rte. & Flt. No. .....

Jacket No. .....

Lock No. .....

Rotary No. .....

Seal No. .....

Received ..... articles described on above-specified bill from dispatching office named in postmark.

..... Receiving Clerk

(Use back for reporting irregularities or discrepancies)

Postmark of ..... Receiving Office

Form 3883—Feb. 1971 *Write "O" if outside piece, and show destination. ☆ U.S. GOVERNMENT PRINTING OFFICE: 1972—484-401

2593a

Lock No. R40328 Rotary No. 95 Jac. No. Control No.

BILL NO. B213 Page No. 12 A.M. Rte. & Plt. No. Seal No.

To GENERAL P. O. N. Y. N. Y. AIR MAIL REGISTERED

(P.O.—or R.P.O. and Tr. No.)

Postmark of APR 15 1973 Dispatching Office

Postmark of APR 15 1973 Dispatching Office

*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN
1 V61 AR Mail	FS1108 -	11	
2 V62 -	FS1109 -	12	
3 H1112 -	D17334 -	13	
4 H1113 -	D17335 -	14	
5 H0419 -	178600	15	
6 H0418 -	S46912 -	16	
7 V59 AR Mail		17	
8 H1111 -		18	
9 V60 -		19	
10 H1110 -		20	

Final Bill

Bill No. B213

A.M. Rte. & Plt. No.

Jacket No.

Lock No.

Rotary No.

Seal No.

Received articles described on above-specified bill from dispatching office named in postmark.

Receiving Clerk

(Use back for reporting irregularities or discrepancies)

A total of 66 articles sent by this dispatch

POSTMASTER Esther Gallo 6 P M. Dispatching Clerk.

Postmark of Receiving Office

Postmark of Receiving Office

A total of articles received in this dispatch

POSTMASTER M. Receiving Clerk.

PS Form 3853—Feb. 1971 *Write "0" if outside piece, and show destination. ☆ U.S. GOVERNMENT PRINTING OFFICE: 1972—484-401

2594a

MISC. 135A.1

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities, and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

2595a

COPY FOR POST OFFICE

RECEIVED FROM 81114

THE FEDERAL RESERVE BANK OF NEW YORK

THE FOLLOWING DESCRIBED PIECES OF REGISTERED MAIL DATE 4-5-73

NCC634

F	REGISTRY NUMBER	ITEM	NAME OF ADDRESSEE - STREET AND POST OFFICE ADDRESS	AMOUNT OF INSURANCE REQUESTED	POSTAGE	REGISTRY FEE	DECLARED VALUE	SURCHARGE PAID
-	2735X	1	NATL COMMERICAL BK & TR CO ALBANY NY	5,000.00	.32	3.25	5,000.00	
-	2736X	2	PUTNAM CNTY NATL BK OF CARMEL CARMEL NY	5,000.00	.32	3.25	5,000.00	
-	2737X	3	COUNTY TR CO CROTON ON HUDSON NY	10,000.00	.24	4.25	10,000.00	
-	2738X	4	MARINE MIDLAND BK WESTERN HOLLEY NY	10,000.00	.48	4.25	10,000.00	
-	2739X	5	LINCOLN FIRST BK OF ROCHESTER ROCHESTER NY	4,000.00	.32	3.05	4,000.00	
-	2740X	6	CENTRAL JERSEY BK & TR CO ALLENHURST NJ	5,000.00	.32	3.25	5,000.00	
-	2741X	7	CENTRAL JERSEY BK & TR CO FREEHOLD NJ	8,000.00	.40	3.85	8,000.00	
	2742X	8	TRUST CO OF NJ JERSEY CITY NJ	1,229,200.00	1.00	232.15	1,229,200.00	
	2743X	9	FIRST NATL STATE BK OF NJ NEWARK NJ	1,018,763.75	1.00	204.75	1,018,763.75	
	2744X	10	COUNTY TR CO TENAFLY NJ	1,500,000.00	.80	267.25	1,500,000.00	
-	2745X	11	MARINE MIDLAND BK SOUTHERN JOHNSON CITY NY	155.00	.16	1.25	155.00	
-	2746X	12	NASSAU TRUST CO GLEN COVE NY	281.25	.16	1.55	281.25	
-	2747X	13	GARDEN STATE NATL BK JERSEY CITY NJ	3,812.60	.16	3.05	3,812.60	
	2748X	14	SUMMIT & ELIZABETH TR CO SUMMIT NJ	80,000.00	.48	18.25	80,000.00	
-	2749X	15	COUNTY TR CO WHITE PLAINS NY	35,743.32	.48	9.45	35,743.32	
-	2750X	16	NEW JERSEY NATL BK TRENTON NJ	2,000.00	.24	2.65	2,000.00	
	2751X	17	MARINE NATL BK OF WILDWOOD WILDWOOD NJ	100,000.00	.24	22.25	100,000.00	
		18						
		19						
		20						
		21						
		22						
					5.12	787.22		

DIAGONAL MARK MUST BE DRAWN THROUGH LINES NOT USED

TOTAL NUMBER OF PIECES LISTED BY SENDER SEVENTEEN (17) ITEMS VB (WRITE NUMBER IN WORDS)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE 17

COLLECTION

POSTMASTER, PER _____
SIGNATURE OF RECEIVING EMPLOYEE

POSTMARK AND DATE OF RECEIPT

APR 5 1973

2

MISC. 138A.10-

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities, and that the amounts of commercial insurance placed on the articles by country registered as stated on this sheet are also correct.

2596a

X

81115
RECEIVED FROM

COPY FOR POST OFFICE

THE FEDERAL RESERVE BANK OF NEW YORK

THE FOLLOWING DESCRIBED PIECES OF REGISTERED MAIL DATE 4/5/73

NCC634

F	REGISTRY NUMBER	ITEM	NAME OF ADDRESSEE - STREET AND POST OFFICE ADDRESS	AMOUNT OF INSURANCE REQUESTED	POSTAGE	REGISTRY FEE	DECLARED VALUE	SURCHARGE PAID
	2752X	1	& TR. CO OF CENTRAL NY ONEIDA NATL BK CENTAL SQUARE, N.Y.	3,180.00	.40	3.05	3,180.00	
	2753X	2	FIRST NATL BK OF WESTWOOD, N.J.	1,706.25	.24	2.65	1,706.25	
	2754X	3	SCHENECTADY TR. CO. SCHENECTADY, N.Y.	1,375.00	.24	2.65	1,375.00	
	2755X	4	MARINE MIDLAND BK ROCHESTER, NY ROCHESTER	137.50	.16	1.25	137.50	
	2756X	5	COUNTY TR CO PLEASANTVILLE N.Y.	378.50	.16	1.55	378.50	
	2757X	6	& TR. CO OF CENTRAL NY ONEIDA NATL BK & BK OF ONEIDA FRANKFORT, N.Y	1,495.00	.24	2.65	1,495.00	
	2758X	7	ONEIDA VALLEY NATL HAMILTON, NY	270.00	.16	1.55	270.00	
	2759X	8	NATIONAL UNION BK OF MONTICELLO, NY	1,440.00	.16	2.65	1,440.00	
	2760	9	MARINE MIDLAND BK CENTRAL OSWEGO, N.Y.	98.00	.16	.95	98.00	
	2761X	10	KINGSTON TR. CO. KINGSTON, NY	180.00	.24	1.25	180.00	
	2762X	11	LIBERTY NATL BK & TR. CO EAST AURORA, NY	4,712.50	.24	3.25	4,712.50	
	2763X	12	F.R.B. BUFFALO, N.Y.	250.00	.16	1.55	250.00	
	2764X	13	F.R.B. CHICAGO, ILL	9,437.50	.24	4.25	9,437.50	
	2765X	14	F.R.B. CLEVELAND, OHIO	812.50	.16	2.45	812.50	
	2766X	15	F.R.B. PORTLAND, ORE	3,290.00	.32	3.05	3,290.00	
	2767X	16	F.R.B. BALTIMORE, MD	153,563.75	1.20	33.05	153,563.75	
	2768X	17	F.R.B. BOSTON, MASS	112,089.91	1.40	24.85	112,089.91	
	2769X	18	F.R.B. PHILADELPHIA PA.	98,602.50	1.20	22.05	98,602.50	
		19						
		20						114.70
		21						7.08
		22						121.78
					3.60 3.28	114.70		

SEVEN MARKS OF CANCELLATION OR OBLITERATION VALUES NOTED PL

EIGHTEEN (18) ITEMS

TOTAL NUMBER OF PIECES LISTED BY SENDER COLLECTION (WRITE NUMBER IN WORDS)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE 18

POSTMASTER, PER

SIGNATURE OF RECEIVING EMPLOYEE

APR 5 1973

POSTMARK AND DATE OF RECEIPT

2

MISC. 135A.1

2c
2597a

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities, and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

X

#93 RECEIVED FROM

COPY FOR POST OFFICE

THE FEDERAL RESERVE BANK OF NEW YORK

1 FOLLOWING DESCRIBED PIECES OF REGISTERED MAIL DATE 4/5/73

DIVISION

CPN. COLL. DEPT. COUPON SECTION CITY UNIT FRNCC 634

C	REGISTRY NUMBER	ITEM	NAME OF ADDRESSEE - STREET AND POST OFFICE ADDRESS		AMOUNT OF INSURANCE REQUESTED	POSTAGE	REGISTRY FEE	DECLARED VALUE	SURCHARGE PAID
	55917X	1	Natl Bk & TrustCo. Continental Ill.	Chicago, Ill.	12,927.12	.48	4.85	12,927.12	
	55918	2	F.R.B.	Boston, Mass.	70.00	.16	.95	70.00	
	55919X	3	Chants Natl Bank New England Mer-	Boston, Mass.	466.88	.16	1.85	466.88	
	55920X	4	& Trust Co. State Street Bk	Boston, Mass.	917.00	.24	2.45	917.00	
	55921	5	Tr Natl Bank R.I. Hospital	Providence, R.I.	45.08	.16	.95	45.08	
	55922X	6	National Bank of	Detroit, Michigan	3,914.80	.32 ~~.16~~	3.85	3,914.80	
	55923	7	First Natl Bk of	Boston, Mass.	24,055.63	.64	7.25	24,055.63	
	55924X	8	New JerseyBk N.A.	Passaic, N.Jersey	147.61	.16	1.25	147.61	
	55925X	9	Deposit Co. First Trust &	Syracuse, N.Y.	3,090.00	.16	3.05	3,090.00	
	55926X	10	County Trust Co.	Tenafly, N.J.	467.26	.16	1.85	467.26	
	55927X	11	Trust Co. Chemung Canal	Elmira, N.Y.	365.70	.16	1.55	365.70	
	55928X	12	Tr Co of Central NY Marine Midland	Syracuse, N.Y.	181.88	.16	1.25	181.88	
	55929X	13	Trust Co. City Natl Bk &	Gloversville,NY	112.50	.16	1.25	112.50	
	55930X	14	Bank of N.J. First Natl State	Newark, N.J.	332.50	.16	1.55	332.50	
	55931X	15	Westchester National Bank of	New Rochelle, NY	395.00	.16	1.55	395.00	
	55932X	16	Of First National Bk	Miami, Fla.	300.64	.16	1.55	300.64	
	55933X	17	Citizens Natl Bk	Tenafly, N.J.	462.39	.24 ~~.16~~	1.85	462.39	
	55934	18	National Bank Fair field Cnty	Norwalk, Conn.	5.00	.16	.95	5.00	
	55935X	19	Central Jersey First Natl Bk of	Somerville, N.J.	101.25	.16	1.25	101.25	
	55936X	20	F.R.B.	Charlotte, N.C.	20,000.00	.88	6.25	20,000.00	
		21							
		22							
					68,350.24	7.24 4.80	46.50 ~~46.74~~	68,358.24	5.00 5.15

DIAGONAL MARK MUST BE DRAWN THROUGH LINES NOT USED

$5.04

TOTAL NUMBER OF PIECES LISTED TWENTY (20) ITEMS CAT (WRITE NUMBER IN WORDS)

TOTAL NUMBER OF COLLECTIONS RECEIVED AT POST OFFICE

POSTMASTER, PER (20)

SIGNATURE OF RECEIVING EMPLOYEE

NY FEDERAL RESERVE APR 5 1973

POSTMARK AND DATE OF RECEIPT

2

GOVERNMENT'S EXHIBIT
S. DIST. COURT
S. D. OF N. Y.
76

Lock No. ..... Rotary No. ..... Jacket No. ..... Control No. .....

BILL NO. L 10 Page No. ..... A.M. Rte. & Flt. No. ..... Seal No. .....

To GENERAL P. O. N. Y. N. Y.
(P.O.—or R.P.O. and Tr. No.)

REGISTERS

*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN
1 R42217-30	Hyde Park	11 ✓	
2		12	
3		13	
4		14	
5		15	
6		16	
7		17	
8		18	
9		19	
10		20	

A total of 16 articles sent by this dispatch

POSTMASTER, ... 6 P M.
Dispatching Clerk.

A total of ..... articles received in this dispatch

POSTMASTER, ... 1 M.
Receiving Clerk.

Postmark of
Receiving Office

PS Fc 353—Feb. 1971 *Write "O" if outside piece, and show destination. ☆ U.S. GOVERNMENT PRINTING OFFICE: 1971 O—416-990

Bill No. L 10
A.M. Rte. & Flt. No. .....
Jacket No. .....
Lock No. .....
Rotary No. .....
Seal No. .....
Received ..... articles described on above-specified bill from dispatching office named in postmark.

..... Receiving Clerk

(Use back for reporting irregularities or discrepancies)

Postmark of
Receiving Office

2598a

GOVERNMENT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
33

See Attached Manifold

R81365 / 110 / 109 (91)

Lock No. R81365 Rotary No. Jacket No. Control No. 91

BILL No. A'95 Page No. 1 Airmail Seal No.

To G.P.O. A-2X 7173 10005
(P. O. or R. P. O. and Tr. No.)

REGISTERS

Postmark of 1973 Dispatching Office

	Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs		Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs
1	957217-246	Paine Webber	30	11	L28970		
2	1257537-550	Sec. Proc.	14	12	969		
3	1257551-564	" "	14	13	968		
4	1257523-536	" "	14	14	917921		
5	1257565-572	" "	8	15	1256403		
6	925968-991	Hornblower	24	16	927439		
7	925992-926015	"	24	17	15973		
8	808337		1	18	974		
9	942473		1	19	975		
10	1978948		1	20	976		
11	947		1	21	977		
12	949		1	22	323525		
13	323539		1	23	321237		
14	535		1	24	D13073		
15	L28971		1	25	072		

A total of 151 articles sent by this dispatch

POSTMASTER, Chester A. Ball

540 P.M. Dispatching Clerk

A total of 150 articles received in this dispatch

POSTMASTER, C Bone

5 P.M. Receiving Clerk

NEW YORK, N.Y. APR 5 1973 Postmark and Receiving Office

Form 3854—Mar. 1972

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SUR

(No collection of surcharge is required on international registered mail)

RCHA

Hornblower & Weeks-Hemphill Noyes Inc.
120 Wall Street,New York New York 10005
(NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

4/5/73 M.Romey Registered Mail

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
925968	CANADA PERMANENT TRUST CO 19pl YONGE ST.TORONTO, ONTARIO, CANADA	16	75	20		N.N.		
925969	Milton & Mildred C.Mellman,15 Parker AvBrockton,Ma	32	25			10,000	1 50	
	Mrs Pearle Wasserman 225 South 16 St Allentown,Pa.	24	25			5,000	50	
925970	Mrs.Newart R.Najarian,1301 Dela.Ave.Wyomissing,Pa	24	25			10,000	1 50	
925971	Clyde L.Fore,POB 249 Siler City N.C.27344	44	25			10,000	1 50	
925972								
925973	Edward C.Jordan,379 Congress St.Portland,Maine	58	25			10,000	1 50	
925974	John Trachman,120 Hignland Av Montclair NJ07042	64	25			10,000	1 50	
925975	James A.Murphy,Jr.444 Bway Saratoga Spgs NY12866	32	25			10,000	1 50	
925976	Guilderland Mut Reinsurance Co.2Normanskill Blvd. Delmar NY 12054	64	25			10,000	1 50	
925977	Mrs.Rita Bleshman,73-34 192nd St.Flushing NY11366	32	25			10,000	1 50	
925978	Mrs.Roberta Duban,1 Merion Dr.Purchase,NY10577	32	25			5,000	50	
925979	Mr.William Cooper % Green BusLines,165-25 147th Av Jamaica, NY 11434	46	25			10,000	1 50	
925980	Mrs.Ruth Burke,430 West 24th St. NY NY 10011	24	25			5,000	50	
925981	John J.Ryan & Co 744 Broad St.Newark NJ07102	32	25			N.N.		
925982	Margaret Poscharsky,314 N.Main St.Princeton,Il1161356	32	25			"		
925983	Mr.Frank Poscharsky, " " " " "	46	25			"		
925984	JULIUS COHEN,2040 Lehigh St.Apt.506Easton Pa18042	24	25			"		
925985	Dorothy Graebner,940 W.Grant Dr.DesPlaines,Ill	24	25			"		
925986	Elmer Graebner,940 W.Grant Dr. " " 60016	24	25			"		
925987	Brookline Trust Co.1341 Beacon St.Brookline,Ma.	32	25			"		
925988	Mrs.Mollie Stern,19200 Irwin St.Reseda,Calif.	24	25			"		
925989	Est.of Lawrence H.Stevens,Girard Trust Bank, Att: Mr.A.H.Huton,Jr.Tr.OFF PHILA PA 19101	24	25			"		
925990	Mr.Alan Cameron,%Halsey Stuart Co.30Broad STNYNY	24	25			"		
925991	Mr.David Graham,Country Club ofFla.Delray Beach, Fla.33444	24	25			"		

TWENTY FOUR (24)
Total number of pieces listed by sender (WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office 24

Postmaster, per 530
(NAME OF RECEIVING EMPLOYEE)

AFFIX STAMP HERE IF ADDITIONAL COPIES OF THIS

N.Y. N.Y. APR 6 1973 U.S. REGISTRY

APR 9 1973 NEW YORK

POSTMARK AND DATE OF RECEIPT

2600a

R.M. 52A

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

Hornblower & Weeks-Hemphill Noyes,Inc.
120 Wall St. New York NY 10005
(NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

4/5/74 M. Romey Regd.Mail

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
925992	~~MR.GILBERT M.KIGGINS,77 RENNSSELAER RD ESSEX FELLS,NY~~							
925993	Mr.George R.Ross,68 Center Ave.Morristown,NJ 07960					N.N.		
925994	Mr.J.Malcolm DeSieyes,131 Charle s St.NY NY 10014					"		
925995	Mr.Henry H.Dewar,10 Ironwood Rd.SanAntonio,Tex 78212					"		
925996	Mr.Marshall Schmidt,147 Brookstone Dr.Princeton NJ					"		
925997	Mr.Stephen Little,Walpole St.Dover, Mass.02030					"		
925998	Mr.& Mrs.J.Carroll Wilkinson,100 Mifflin Blvd.Reading, Penna 19607					"		
925999	Mr.Frederick P.Krott,RD1,Richland Pa17087					"		
926000	Herbert A & Mfs Mildred Miller,41 Kline Village Harrisburg, Pa 17104					"		
926001	Harris Trust &Savings Bank,Chicago Illinois					4,000		
926002	Arenctsville National Bank Customer A/CArendtsville,Pa					N.N.		
926003	Mr.George Berner,10060 W.Roosevelt Rd.Westchster,Il					"		
926004	Mr.Leroy O.King,Jr.4815 Allencrest Dallas,Texas75234					"		
926005	Mr.Jack H.Seiter % Bayly Martin Fay,3200Wilshire Blvd. Los Angeles,Calif.					"		
926006	Henry & Elizabeth Sugar,8044 Woodrow Wilson DrLA CA					"		
926007	Theodore D.Kamm,6311 N.Glenrock Ct.Peoria,Il61614					"		
926008	Robt MacDonald & Co 406 Wilshire Blvd SantaMonica,Ca.					"		
926009	Mr.Richard J.Sennott,141 W.Jackson Blvd.Rm3250Chgo Il					"		
926010	Harsen Smith,Trustee,401 BayVidy Bldg.Ft.Lauderdale, Florida 33304					"		
926011	Albert E & Priscilla H.Edwards,857 Roscrane St.San Diego,Ca.92106					10,000		10,000
926012	Oscar Al Berglund,325 Kempton St.SpringValley CA92077					5,000		
926013	Mid State Bk Tr Col01 N.Allegheny Bellefonte,Pa.					10,000		
926014	Amalgamated Bk Tr Co 100 S.State St.Chicago Ill					10,000		
926015	~~Rockefeller~~ ,% Nevada Natl Bank POB 3299,Reno, Nevada 89505					N.N.		

TWENTY FOUR (24)

Total number of pieces listed by sender (WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office

Postmaster, per (NAME OF RECEIVING EMPLOYEE)

AFFIX STAMP HERE FOR ADDITIONAL COPIES OF THIS B

APR 5 1974

POSTMARK AND DATE OF RECEIPT

2601a

R.M. 52A

Form 39

2602a

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct

Page of Bill ..... Post Office at .....

Received ..... 19 ..... from **PAINE, WEBBER, JACKSON & CURTIS** INCORPORATED the following described pieces of registered mail

REGISTRY NUMBER	NAME OF ADDRESSEE	STREET AND POST OFFICE ADDRESS	VALUE DECLARED TO P. O.	POSTAGE	REGISTERED MAIL FEE	INSURED VALUE
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
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16						
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25						
26						
27						
28						
29						
30						

NEW YORK N.Y. APR 6 1923 REGISTRY

Total number of pieces listed by sender ..... (Write number here in words)

Total number of pieces received at post office ..... *Postmaster, per* .....
(Name of receiving employee)

PUT STAMP HERE AND CANCEL WITH DATE OF RECEIPT

THIS COPY RETAINED BY POLICYHOLDER

2603a

(2)

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required for international registered mail.)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities.

Received from Security Processing Service

City New York **State**

4 5 13

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of an additional charge for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted. Fee paid	(7) Full value or cost of duplication if non-negotiable Securities See footnote*	(8) Surcharge on entire contents of article	(9) Remarks See footnote†
	1 Dr Richard Litman 1-N.Y. Mylea	54	45			1000		
	2 Estate Litman c/o Comm. prop							
	3 [illegible] Hawthorne Blvd. [illegible] France							
	4 Coin. 9050¢							
566	5 RE-Dickinson + Co. 9th Grand, NYC	54						
	6 [illegible] Bay-Burdette Investments Inc.							
67	7 Liberty National Bank + Trust	88						
	8 [illegible] Louisville Ky							
69	9 Liberty National Bank + Trust	88						
	10 [illegible] Louisville Ky							
69	11 Lee B. Hardy P.O. Box 304	54						
	12 [illegible] Texas 2536							
70	13 First Nitery Corp 90 State St	48						
	14 [illegible]							
71	15 [illegible] Co. P.O.	16						
	16 [illegible] Walnut Hill Co. Inc.							
	17 [illegible] Hill Rd. Alexander							
72	18 Life Reclaim Fund Inc. 111 Elmwood	40						
	19 Litchfield, Conn. 06759							
	20							
	21							
	22							
	23							
	24							
	25							
	26							
	27							
	28							
	29							
	30							

NEW YORK APR 16 GPO NY

*When an article contains matter declared for full value and that for which the cost of duplication is declared, enter in column (7) the sum of the declarations for "full value" and "cost of duplication."

†Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special Delivery"; "AM" if "Air Mail", and "C.O.D." and amount due sender if registered C.O.D. mail.

Affix stamp here for additional copies of this bill

Total number of pieces listed by sender 8 (Write number here in words) Eight

Total number of pieces received at post-office 8 *Postmaster, per* (Name of receiving employee)

Postmark and date of receipt

167-0 Printed in U. S. A. 2-72

THIS COPY RETAINED BY POLICYHOLDER

2604a

(2)

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE
(No collection of surcharge is required for international registered mail.)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities.

Received from Security Processing Service

City New York State NY

4-5-73

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of an additional charge for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted. Fee paid	(7) Full value or cost of duplication if non-negotiable Securities See footnote*	(8) Surcharge on entire contents of article	(9) Remarks See footnote†
523	1 International Building Paragon Soc	24	45		15	1000		
	2 449 E Sunrise Blvd Ft Lauderdale							
	3 Fla 33304 Attn Jerry Lasker							
524	4 Mr + Mrs Louis Capobianco U.S.A.	32						
	5 1615 Cherry St Phila Pa. 19115							
	6 International Building Paragon Soc	40						
	7 449 E Sunrise Blvd Ft Lauderdale							
	8 Fla 33304 Attn Jerry Lasker							
	9 Mr Kapla 128 W Farrell Ave	24						
	10 Tiverton RI 02878							
27	11 Harold Cohen 7 Farrell Ave Attleboro	24						
	12 MA 02757							
	13 Mr Sam Pecar Cedar Lane	56						
	14 Chicago Ill 60643							
9	15 Mr Charles Winkler 120 81 St	56						
	16 New York NY 11228							
	17 Dr Abraham Stein 1625 - 19th St	40						
	18 Brooklyn NY 11217							
21	19 Alexander Shapiro Foxhall Rd	128						
	20 Dr Herbert Kalmus 144-25 68th Road	24						
	21 Flushing NY 11367							
	22 Dr Herbert Kalmus 144-25 68th Road	16						
	23 Flushing NY 11367							
21	24 Samuel Cohen 133 Henry St NYC	24						
	25 Rita Weinstein 2 West End Ave	24						
	26 New York City 10023							
536	27 Mr E Rudoff 2165 18th Ave	40						
	28 Brooklyn NY 11218							
	29							
	30							

APR 6 1973 U.S. GPO NEW YORK

*When an article contains matter declared for full value and that for which the cost of duplication is declared, enter in column (7) the sum of the declarations for "full value" and "cost of duplication."

†Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special Delivery"; "AM" if "Air Mail", and "C.O.D." and amount due sender if registered C.O.D. mail.

Affix stamp here for additional copies of this bill

Total number of pieces listed by sender Fourteen (Write number here in words)

Total number of pieces received at post-office 14 *Postmaster, per* (Name of receiving employee)

Postmark and date of receipt

Form M-167-b Printed in U. S. A. 2-72

THIS COPY RETAINED BY POLICYHOLDER 2605a

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARG

(No collection of surcharge is required for international registered mail.)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared value set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities

Received from Security Parcel Post Service

City [illegible] **State** NY

4-5-73

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of an additional charge for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted. Fee paid	(7) Full value or cost of duplication if non-negotiable Securities See footnote*	(8) Surcharge on entire contents of article	(9) Remarks See footnote†
251	1 The Library Carlton Trust Trustees	12	.45		1.75	1000		
	2 Carlton Jewelers Building							
	3 Cor Cedar and Tallman Sts							
252	4 Valentine Art Gallery Bway &	16						
253	5 Provident Mutual Life Ins 147 Canfield	24						
	6 Ave Co Nassau Co 11530							
2	7 The Chase Manhattan Bank Nanuet New	40						
	8 York Main Office							
3	9 Le Roux Co Kaufman Bldg 219 Park	24						
	10 Avenue South New York City New York 10003							
4	11 Le Roux Co Kaufman Bldg 219 Park	24						
	12 Avenue South New York City New York 10003							
5	13 Le Roux Co Kaufman Bldg 219 Park	24						
	14 Avenue South New York City New York 10003							
6	15 First National City Bank 399 Park	40						
	16 Avenue New York							
	17 Lincoln Life Insurance Co PO Box	16						
	18 1507 Raleigh North Carolina 27611							
	19 Attn Actuarial Dept EVP							
7	20 Henry Dixie Corporation 1 Penn Plaza	16						
	21 Suite 1600 New York New York 10001							
8	22 Ray and Peters Inc 31 Hanover	16						
	23 Street New York New York							
9	24 Irving Trust Co Bank Building	24						
	25 One Wall Street New York New York 10043							
10	26 Dickens Nicholson Inc 1 Penn Plaza 3	24						
11	27 The Equitable Life Assurance Society 1432							
	28 1285 Avenue of the Americas New York							
	29 New York							
	30							

NEW YORK, NY APR 6 1973 G.P.O. REGISTRY DIV.

*When an article contains matter declared for full value and that for which the cost of duplication is declared, enter in column (7) the sum of the declarations for "full value" and "cost of duplication."

†Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special Delivery"; "AM" if "Air Mail", and "C.O.D." and amount due sender if registered C.O.D. mail.

Affix stamp here for additional copies of this bill

Total number of pieces listed by sender Fourteen (Write number here in words)

Total number of pieces received at post-office 14 *Postmaster, per* (Name of receiving employee)

Postmark and date of receipt

Form M-167-a Printed in U. S. A. 2-72

THIS COPY RETAINED BY POLICYHOLDER 2606a

(2)

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required for international registered mail.)

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities.

Received from Security Processing Service

City New York State NY

4-5-73

NOTE.—Additional receipted copies of this bill will be furnished as certificates of mailing only, upon payment of an additional charge for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly packed and indorsed, and unless claims are filed within the prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted. Fee paid	(7) Full value or cost of duplication if non-negotiable Securities See footnote*	(8) Surcharge on entire contents of article	(9) Remarks See footnote†
237	1 Joseph Tellowitz 11 Willow Place 2 Brooklyn New York 11201	88	245		15	1000		
238	3 Seymour Lerkoff 1036 Rockstraw Road 4 Old Tappan NY 11570	40						
239	5 Mrs Lorraine Suss 245 9th Ave 6 New York City NY 10011	32						
240	7 Robert C Beardsley RR #2 8 Poughkeepsie NY 12601	32						
—	9 Mr & Mrs Edward E Tuxedo Dr 10 Livingston NJ 07039	24						
242	11 Walter or Hella Keith Gronke 12 165-25 108th St Forest Hills NY 11375	24						
—	13 Joseph Bros Industrial Hardware Co	40						
244	203 Lawrence Ave Inwood NY 11096 15 Dr Henry Cecere Family Farm	16						
	16 Trustee 1408 Bruce Lane 17 Redlands Calif							
245	18 Mr Richard C Leavitt 365 Grand 19 Homewood Road Los Angeles Calif	24						
246	20 Lawrence Lerner 1 Norfolk St 21 Brooklyn New York	40						
247	22 Anthony Scarcella 1 Louis Scarcella	32						
248	23 1717 Castle Ave Bronx NY 10461 24 Julian Kogoff 26 Elizabeth Road	24						
249	25 New Rochelle NY 10804 26 Jean Lang Holder of Montrose Rd	64						
250	27 Scarsdale NY 10583 28 Mr & Mrs Jackson Stella A Jackson Illinois	72						
	29 372 Highway 128 Calistoga Calif 94515 30							

NEW YORK N.Y. APR 6 1973 G.P.O.

*When an article contains matter declared for full value and that for which the cost of duplication is declared, enter in column (7) the sum of the declarations for "full value" and "cost of duplication."

†Show in "Remarks" column (9) class postage paid if other than first or if international mail. Also use this column to indicate "F" if "Fragile"; "SD" if "Special Delivery"; "AM" if "Air Mail", and "C.O.D." and amount due sender if registered C.O.D. mail.

Affix stamp here for additional copies of this bill

APR 5 1973

Total number of pieces listed by sender Fourteen (14) (Write number here in words)

Total number of pieces received at post-office

Postmaster, per (Name of receiving employee)

Postmark and date of receipt

Form M-167-b Printed in U. S. A. 2-72

195 Opened at CSS
See Attached Manifold
144 Rec.

R11648

Lock No. ..... Rotary No. ..... Jacket No. ..... Control No. 100

BILL No. A194 Page No. 2 Airmail ..... Seal No. .....

To GPO. A-1 T173 10005

(P. O. or R. P. O. and Tr. No.)

REGISTERS

Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs
1 957247-265	Paine Webber	19
2 Foreign Bulk		14
3 974414		
4 865534		
5 973701		
6 702		
7 704		
8 703		
9 917419		
10 920		
11 F9298		
12 299		
13 201		
14 202		
15 321235		
16 321236		
17 234		
18 240		
19 239		
20 238		
21 241		
22 242		
23 323526		
24 320513		
25 323499		
26 497		
27 498		
28 500		
1978946		
29 938785		

2 VP

(2)

Page 1 - 70
2 - 61
TOTAL - 131
7

A total of 131 articles sent by this dispatch

POSTMASTER, Chester G. Ball

540 M.

Dispatching Clerk.

A total of ..... articles received in this dispatch

POSTMASTER,

..... M.

Receiving Clerk.

Form 3854—Mar. 1954

Postmark of Dispatching Office
APR 5 1973

Postmark of Receiving Office
APR 6 1973

Bill No. .....

A.M. Rte & Flt. No. .....

Jacket No. .....

Lock No. .....

Rotary No. .....

Seal No. .....

Received ..... articles described on above-specified bill from dispatching office named in postmark.

Receiving Clerks.

(Use back for reporting irregularities or discrepancies.)

GOVERNMENT'S EXHIBIT
U.S. DIST. COURT
S.D. OF N.Y.

2607a

195 See Attached Manifold

R11648 ~~144~~ Ch1

Lock No. R11648 Rotary No. ..... Jacket No. ..... Control No. 100

BILL No. A194 Page No. 1 Airmail ..... Seal No. .....

To G.P.O. A-1 T173 10005

(P. O. or R. P. O. and Tr. No.)

REGISTERS

Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs	Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs
936896		1	936897		1
Foreign Bulk		17	A75083		1
1865514-533	Franklin Natl	20	081		1
915676-681	N.B.N.A.	6	082		1
4983107		1	084		1
927440		1	5910871		1
910361		1	1575041		1
363		1	322433		1
362		1	436		1
364		1	435		1
365		1	434		1
964918		1	432		1
927437		1	429		1
438		1	323536		1
936898		1	974443		1

A total of (70) articles sent by this dispatch

POSTMASTER, Chester A. Ball 5:40 P.M.

Dispatching Clerk.

A total of ..... articles received in this dispatch

POSTMASTER, ... M.

Receiving Clerk.

Form 3654—Mar. 1972

Postmark of WALL STREET STA NEW YORK NY APR 5 1973 Dispatching Office

Postmark of WALL STREET STA NEW YORK NY APR 5 1973 Dispatching Office

Bill No. .....

A.M. Rte & Flt. No. .....

Jacket No. .....

Lock No. .....

Rotary No. .....

Seal No. .....

Received ..... articles described on above-specified bill from dispatching office named in postmark.

Receiving Clerks.

(Use back for reporting irregularities or discrepancies.)

Postmark of NEW YORK NY APR 6 1973 Receiving Office

2608a

4/5/73 Natl.Bank of North America
Cust&Clear
44 Wall St,NYC 10005

APR - 3 1973

NAME AND ADDRESS OF SENDER

Indicate type of mail:
☑ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	915676	Republic National Bank of Dallas., P.O.2964,	32	95	15		NV XXXX,XXXX.		a/m
2		Dallas, Texas.							
3	915677	Guaranty Trust Co.,88 University Ave.,Toronto,	32		20		nv		a/m
4		Ontario, Canada Attn;V.Perry.							
5	915678	National City Bank, 623 Euclid Ave.Cleveland,Ohio	32		15		nv		a/m
6	915679	NBNA Attn;F.W.Geiger 479 Jericho Hicksville Rd,	1.00	2.25			250,000.		reg.,
7		Jericho,NY							
8	915680	NBNA Attn;F.W.Geiger 479 Jericho Hicksville Rd,	40	2.25			35,000.		reg.,
9		Jericho,NY							
10	915681	NBNA Attn;F.W.Geiger 479 Jericho Hicksville Rd,	1.73	2.25			145,000.		reg.,
11		Jericho,NY							
12									
13				2 VP					
14									
15									
16									
17									
18									
19									
20									

NEW YORK, NY GPO REGISTRY DIV APR 6 1973

WALL STREET STA NEW YORK, NY APR 5 1973

2609a

TOTAL NO. OF PIECES LISTED BY SENDER | TOTAL NO. OF PIECES REC'D AT P.O. | POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first if international

PS Form 3877, Mar. 1971 — APPLICATION FOR REGISTRATION OR CERTIFICATION — (Surcharges are not required on international registered mail)

6 37

C1S—16—6702-16 U.S. GOVERNMENT PRINTING OFFICE

Form 19

2610a

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

Page of Bill ..... Post Office at .....

Received ..... 19 ..... from PAINE, WEBBER, JACKSON & CURTIS INCORPORATED the following described pieces of registered mail

REGISTRY NUMBER	NAME OF ADDRESSEE	STREET AND POST OFFICE ADDRESS	VALUE DECLARED TO P.O.	POSTAGE	REGISTERED MAIL FEE	INSURED VALUE
1						
2						
3						
4						
5						
6						
253 7		Charlotte NC	none	16	75	none
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19				18		
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						

NO APR 6 1973 NEW YORK NY

APR 5 1973 NEW YORK NY

Total number of pieces listed by sender _____
(Write number here in words)

Total number of pieces received at post office _____ *Postmaster, per* _____
(Name of receiving employee)

PUT MARK OF MAILING OFFICE AND DATE OF RECEIPT

FRANKLIN NATIONAL BANK
80 PINE STREET
NEW YORK, N. Y. 10015

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Hand to Hand

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NAME AND ADDRESS OF SENDER

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	665514 Florence Jorgenson Toms River N.J	24	325			5 000		345 S/L
2	15 Ellen T. Conway 4310 Hyth St Sunnyside N.Y	24	425			10 000		445 S/L
3	16 Michael Rubinoff 2718 Haring St Bklyn N.Y	24	425			10 000		445 S/L
4	17 Abe Newborn 1020 Park Ave N.Y. N.Y.	24	425			10 000		445 S/L
5	18 Dr Arthur Bachstein Port Washington N.Y	46	725			25 000		1049 S/L
6	19 Mr Herman Broder East Orange N.J	24	425			10,000		449 S/L
7	20 Mr Herman Broder East Orange N.J	24	325			5,000		349 S/L
8	21 Grace Cornell Bellerville N.J	40	625			20,000		665 S/L
9	22 Charles Clarkson Tolworth N.J	49	525			15,000		573 S/L
10	23 Dairymen's League Coop Assn Blue Hill Plaza Pearl River N.Y	24	245			1,000		269 S/L
11	24 Dr Herbert Schwarzer 62 8th Ave Bklyn N.Y	56	325			5,000		381 S/L
12	25 Dr Basil Albrecht 136 East 76th St N.Y. N.Y.	16	325			5,000		341 S/L
13	26 Joseph A Grenera Co Inc 57 Wall St N.Y. N.Y.	40	325			5,000		365 S/L
14	27 Mrs J Skowron Buffalo Summit N.J	24	325			5,000		349 S/L
15	28 Mrs Leon M. Trowbridge 11 Wall Hill Rd Great Neck N.Y	24	325			5,000		349 S/L
16	29 Alford Friedman 41 [illegible] St Albany N.Y	32	425			10,000		457 S/L
17	30 Mrs Lillian Simmons 11 Knollcrest Dr Yonkers N.Y	24	425			10,000		449 S/L
18	31 John J. Graffert Lexington N.J	80	825			30,000		905 S/L
19	32 George Weiss 50-09 39th St Bayside N.Y	44	325			5,000		369 S/L
20	33 Mrs J Stranger 55 Sheridan Ave Mt Vernon N.Y	64	425			10,000		

STREET STA. MAR 6 4 PM NEW YORK N.Y.

TOTAL NO. OF PIECES LISTED BY SENDER: 20 Rec'd
TOTAL NO. OF PIECES REC'D AT P.O.:
POSTMASTER, PER (Name of receiving employee):

"Show under "Remarks" class of mail other than first or if international"

PS Form 3877 Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

20 Madison 5

26118

GOVERNMENT'S EXHIBIT
U.S. DIST. COURT
S. D. OF N. Y.

39

0344 opened at c, Rn. 1 2 T3

See Attached Manifold

to S-13304 Rotary No. 233 Jacket No. ..... Control No. .....

to B-340 Page No. ..... Airmail ..... Seal No. .....

P.O. 10001 B-1 Tr-173

(P. O. or R. P. O. and Trip No.)

REGISTERS NEW YORK, NY WALL STREET STA. Postmark of APR 5 1973 Dispatching Office

NEW YORK, N.Y. WALL STREET STA. Postmark of APR 5 1973 Dispatching Office USPO

Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs.	Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN
1972858	875 Bk of Mon.	18	16	
1994091	099 Roy. Bk.	9	17	
V-56499	516 " "	18	18	
932825	831 Nat'l. Bk. of Pak.	7	19	
967660	666 Saitama Bk.	7	20	
920862	867 Drybood	6	21	
J-13052	071 Sears Bk.	20	22	
K-46880	891 Parrish Sec.	12	23	
808321	342 Smith Barney	21	24	
808291	320 " "	30	25	
9x0130	(OVER)		26	
			27	
			28	
			29	
			30	

148

TOTAL-148

148 +1=147 mp

Bill No. .....

A. M. Rte & Flt. No. .....

Jacket No. .....

Lock No. .....

Rotary No. .....

Seal No. .....

Received ..... articles described on above-specified bill from dispatching office named in postmark.

Receiving Clerk.

148 articles sent by this dispatch	POSTMASTER, J. Dennis	540 P.M. Dispatching Clerk.
142 articles received in this dispatch	POSTMASTER, J Golub	450 P.M. 535 Receiving Clerk.

NEW YORK, NY Postmark of APR 6 1973 Dispatching Office

NEW YORK Postmark of 1973 REGISTRY DIV. Receiving Office

156—Mar. 1972

2612a

NUMBER AND ADDRESS OF SENDER

[illegible] 0005

Indicate type of mail:
☒ Registered ☐ Registered C.O.D.
☐ Certified

APRIL 5 1973

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	SPEC. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1972 858	Cont Ill Nat Bk & Tr Co - 231 S La Salle - Chi Ill	11	95			N.V		Air Mail
V 859	Louisiana Nat Bk - New Orl La	33	95	15		N.V		Air Mail
V 860	Royal Trust Co - Box 1810 - B - Mtl Que Can	16	95			N.V		—
V 861	Hyden Corp - Treas Dept - 75 Dorchester - Mtl Que Can	24	95			N.V		—
V 862	Bk of Mtl - Devonshire Mall - Windsor Ont Can	16	95			N.V		—
V 863	Bk of Mtl - Ontario & St Lawrence - Mtl Que Can	16	95			N.V		—
V 864	Fifth Third Bk - Box 479 - Cincinnati Ohio	22	95			N.V		Air Mail
V 865	Merchants & Produce Bk - Walnut 86 - K. C. Mo	44	95			N.V		Air Mail
V 866	Phila Life Ins Co - 111 N. Broad - Phila Pa	16	95			N.V		—
V 867	Mason & Lee - Tazewell & Attenbolt - Tazewell Va	33	95			N.V		Air Mail
V 868	Guaranty Tr Co - 522 Fifth Ave - New York N.Y.	24	95			N.V		—
V 869	Cleveland Tr Co - Box 6477 - Cleveland Ohio	22	95			N.V		Air Mail
V 870	Northern Tr Co - 50 S. La Salle - Chi Ill	22	95			N.V		Air Mail
V 871	Bk of Commerce Nat Tr & Sav Assn - 111 W 7 - L A Cal	22	95			N.V		Air Mail
V 872	Mtl Tr Co - 777 Dorchester Blvd W - Mtl Que Can	48	95			N.V		—
V 873	Bk of Mtl - 47 Threadneedle - London Eng	2.10	95			N.V		Air Mail
V 874	Bk of Butterfield & Son - Box 1735 - Hamilton Bermuda	4.59	95			N.V		Air Mail
V 875	Bk of Mtl - Charlottetown - P.E.I. - Can	13.20	95			N.V		Air Mail

TOTAL NO. OF PIECES LISTED BY SENDER: EIGHTEEN ENVELO

TOTAL NO. OF PIECES RECD AT P.O.: 18

POSTMASTER, PER (Name of receiving employee): [illegible]

*Show under "Remarks" value, postage and fee if other than Bank or if International

Form 3877, Mar. 1971

(18) ✓

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on [illegible] registered mail)

J Gobuty 3 00

NEW YORK APR 6 1973 REGISTRY DIVISION

26139

NAME AND ADDRESS OF SENDER

Dryfoos Co
15 Maiden Lane
ny ny

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	RESTR. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
✓1	920862	D Tanfer 120 Jackson st Hempstead ny	8	95	15		no value		
✓2	920863	R Leis 5 Wendy Hill Rd Westport Conn	8						
✓3	920864	Mrs Johnson 1020 Land Bldg Buffalo ny	8						
✓4	920865	L Neils 2500 Johnson Ave Riverdale ny	8						
✓5	920866	J Pearman 105 48 70 rd Forest Hills ny	8						
✓6	920867	T Bins 14025 Delos Blvd Bx ny	16	✓	✓		✓		
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6 ✓

REGISTRY DIV. NEW YORK N.Y. APR 17 1973 P

WALL STREET STA. 15 APR 1973 USPO

TOTAL NO. OF PIECES LISTED BY SENDER

TOTAL NO. OF PIECES REC'D AT P. O. 6

POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

J Solus

040—16—6702—16 U.S. GOVERNMENT PRINTING OFFICE

2614a

NAME AND ADDRESS OF SENDER

THE ROYAL BANK OF CANADA TRUST COMPANY
68 WILLIAM STREET - [illegible] FLOOR
NEW YORK, NEW YORK [illegible]

APR 5 1973

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1994091	Fotunato F De Rodriguez R.B.C Buenos Aires Argentina	17	95			NV		AM
1994092	Jan Edetraud Vaccaro Oberndorf Bez Salzburg Austria	21	95			NV		AM
1994093	Dept of Natl Revenue Taxation 305 Rochester Blvd Montreal 2e Quebec	66	95			NV		AM
1994094	Trust Corp of Bahamas Box N7788 Nassau Bahamas	102	95			NV		AM
1994095	First Security Bk of Utah Main at First So Salt Lake Utah	33	95			NV		AM
1994096	Myles a Wolfe 143 North M. St Cranbury N. J. 08512	8	95			NJ		AM
1994097	R.B.C Toronto Ont Canada	33	95			NV		AM
1994098	R.B.C Van Horne Victoria Br 485 Van Horne Ave Montreal 252 PQ	33	95			NJ		AM
1994099	R.B.C 220 Portage Ave Winnipeg Manitoba Canada	44	95			NV		AM
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APR 5 1973 NEW YORK N.Y.

TOTAL NO. OF PIECES LISTED BY SENDER: Nine
TOTAL NO. OF PIECES REC'D AT P.O.: 9
POSTMASTER, PER (Name of receiving employee):

"Show under "Remarks" class postage paid if other than first or if international

POD Form 3877, Jan. 1969

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

J Lobue

048—38—8793-14 U.S. GOVERNMENT PRINTING OFFICE

26158

NAME AND ADDRESS OF SENDER

THE SAITAMA BANK, LTD.
NEW YORK AGENCY
44 WALL STREET
NEW YORK, N.Y. 10005

Indicate type of mail:
☐ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS
1 967660	Saitama Bank Tokyo Japan	1 04	.95					
2								
3 967661	Saitama Bank, Tokyo Japan	10 05	.95					
4								
5 967662	Saitama Bank, OSAKA Japan	1.05	.95					
6								
7 967663	Saitama Bank Wagoya	.42	.95					
8								
9 967664	The Hongkong + Shanghai Banking Corp	3 24	.95					
10								
11 967665	Samsoap Inc NY	.08	.95					
12								
13 967666	Consol Hide + Skin Corp, NY	.08	.95					
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U.S. EAST ST. STA. O. N.Y. DEC 31 1971

TOTAL NO. OF PIECES LISTED BY SENDER

TOTAL NO. OF PIECES REC'D AT P.O. 7

POSTMASTER, PER (Signature of receiving employee) 5 15

Show under "Remarks" class postage prepaid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international Registered mail)

J Saito

048—16—6792—2 U.S. GOVERNMENT PRINTING OFFICE

2616a

NAME AND ADDRESS OF SENDER

The Royal Bank of Canada APR 5 - 1973
68 WILLIAM STREET
N. Y. CITY

Indicate type of mail:
☑ Registered ☐ Registered C.O.D.
☐ Certified

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	V56499 Morgan Guaranty Trust Co. Broad St. N.Y.	8	75			"		Reg. No.
2	V6500 Continental Illinois Nat. Bank & Trust Co. Chicago	22	75			"		"
3	01 Royal Trust Co. Bridge St. E. Kingston Canada	44	75			"		"
4	02 Philadelphia Life Insurance Co. Philadelphia	11	75			"		"
5	03 The First Realty Mtg. Corp. Jersey City NJ	16	75			"		"
6	04 RBC Kingston Ont. Canada	33	75			"		Reg. No.
7	05 — Toronto Dominion Bank Toronto Ont.	42	75			"		"
8	06 Royal Trust Co. Montreal Canada	11	75			"		"
9	07 Banco Royal de Venezuela Apartado Caracas Venez.	170	75			"		"
10	08 RBC Fort Nelson Fort St. John B.C.	77	75		60	"		"
11	09 — Montreal Que. Canada	150	75			"		"
12	10 — Toronto Dominion Bank Toronto Ont.	44	75			"		"
13	11 Royal Trust Co. Caracas Venez.	17	75			"		"
14	12 Bank of Montreal Boston Mass.	44	75			"		"
15	13 Banco de Venezuela Caracas Venez. Box 1828 Washington DC	22	75			"		"
16	14 First National Bank & Trust Co. Box 351 Boston Mass.	22	75			"		"
17	15 RBC Winnipeg Manitoba Canada	100	75			"		"
18	16 37 Duke Street Kingston Canada	62	75			"		"
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TOTAL NO. OF PIECES LISTED BY SENDER: Eighteen

TOTAL NO. OF PIECES REC'D AT P.O.: 18

POSTMASTER, per (Initials of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

NEW YORK N.Y. APR 6 1973

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

J Godsoe

2617a

SWISS BANK CORPORATION
NEW YORK BRANCH
15 NASSAU STREET
NEW YORK 5, N. Y.

NAME AND ADDRESS OF SENDER

Indicate type of mail:
☑ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT APR - 5 1973

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1 D13052	CONT'L ILL. NAT'L BANK CHICAGO ILL.	16	95			N.V.		ord
2 D13053	SHAREHOLDERS SERVICE INC. BOSTON, MASS.	16	95					ord
3 D13054	CUC TRANSFER CO. NEW IPSWICH, N.H.	16	95					ord
4 D13055	MERCHANTS NAT'L BANK & TRUST INDIANAPOLIS, IND	16	95					ord
5 D13056	INVESTMENT CO. S. SVC. CORP. Boston, Mass	16	95					ord.
6 D13057	FIRST NAT'L BANK & TRUST CO. OF TULSA TULSA, OKL.	16	95					ord.
7 D13058	COMMERCE UNION BANK NASHVILLE, TENN.	16	95					ord.
8 D13059	FIRST NAT'L BANK OF MINN. MINNEAPOLIS, MINN.	16	95					ord.
9 D13060	UNITED CALIF. BANK SAN FRANCISCO, CALIF.	16	95					ord
10 D13061	BANK OF AMERICA SAN FRANCISCO, CALIF.	24	95					ord.
11 D13062	M.S. WIEN & CO. JERSEY CITY, N.J.	16	95					ord.
12 D13063	SWISS BANK BASLE BASLE, SWITZERLAND	294	95					AIR
13 D13064	" " " " "	252	95					AIR
14 D13065	BANQUE NAT'L DE PARIS PARIS, FRANCE	147	95					AIR
15 D13066	BANQUE WORMSER FRERES PARIS, FRANCE	84	95					AIR.
16 D13067	I.J. PERQUEL PARIS, FRANCE	126	95					AIR
17 D13068	WILLIAMS DE BROS HILL CHAPLIN & CO. LONDON, ENG.	147	95					AIR.
18 D13069	NEW ENGLAND MERCHANTS NAT'L BANK Boston, Mass	24	95					ORD.
19 D13070	ENTERPRISE FUND LOS ANGELES, CALIF	16	95					ORD.
20 D13071	STEADMAN AMERICAN FUND WASHINGTON, D.C.	16	95	1.15				ORD.

TOTAL NO. OF PIECES LISTED BY SENDER: TWENTY (20)
TOTAL NO. OF PIECES REC'D AT P.O.: 2
POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" the postage fee if other than first or if international

POD Form 3877, Nov. 1968

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

NEW YORK APR 6 1973

GPO 1973 O - 485-525 GOVERNMENT PRINTING OFFICE

2618a

J Goldman

NAME AND ADDRESS OF SENDER

National Bank of Pakistan
99 Wall Street, New York N Y 10005

Indicate type of mail:
☐ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	932825 N.B.P., Cantt. Rawalpindi, Pakistan	2.94	.95			NO	NO	
2	932826 N.B.P., Main Br. Lahore, Pakistan	1.05	.95			"	"	
3	932827 N.B.P., Islamabad, Pakistan	.21	.95			"	"	
4	932828 N.B.P., P.O. Box 116, Jeddah, Saudi Arabia	2.31	.95			"	"	
5	932829 N.B.P., Head office, Karachi, Pakistan	14.28	.95			"	"	
6	932830 N.B.P., Main Br., Karachi, Pakistan	13.86	.95			"	"	
7	932831 N.B.P., Main Br., Karachi, Pakistan	4.83	.95			"	"	
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NEW YORK NY APR 1973 USPO

TOTAL NO. OF PIECES LISTED BY SENDER: 7

TOTAL NO. OF PIECES REC'D AT P. O.: 7

POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

o69—16—6703-16 U.S. GOVERNMENT PRINTING OFFICE

201794

2620a

SMITH, BARNEY & CO. INCORPORATED
20 BROAD STREET
NEW YORK, N. Y. 10005

4/5/73

(1) NUMBER OF ARTICLE	(2) NAME AND STREET AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted. Fee paid	(7) Full value or cost of duplication if nonnegotiable securities	(8) Surcharge on entire contents of article	(9) REMARKS
808321	Est/C Barrett New Providence RRNJ	16	95		no value	none		1.11
808322	Charleston Natl Bk Charleston W	VA16	95	x			x5	1.11
808323	Erich Haas Sun City Arizona	16	95					1.11
808524	H Snively Winter Haven Fla	16	95					1.11
808325	R Lyman Maple Plain Minn	16	95					xxxxx 1.11
808326	H Gallagher Flushing NY	16	95					1.11
808327	Cambridge Tr Cambridge Mass	16	95					1.11
808328	Rep Natl Life Ins Dallas Texas	16	95					1.11
808329	Springfield Marine Bk Spring Ill	16	95					1.11
808330	Provident Natl Bk Phila PA	24	95					1.19
808331	Conn Natl Bk Bridgeport Conn	56	95					1.51
808332	A Berman New York 551 5th Ave	24	95					1.19
808333	Bryn Mawr Tr Bryn Mawr PA	46	95					1.41
808334	Bacon Whipple & Co Chicago Ill	16	95					1.11
808335	E Price Boca Raton Fla 0	38	95					1.33
808336	H Greenblatt Phila PA	24	95					1.19
808337	[illegible] Patchogue NY	56	95					1.51
808339	Allen Chicago Ill	32	95					1.27
808340	P Provenzano Thornwood NY	16	95					1.11
808341	J Lipton Cust 485 Lexington Ave	NY16	95					1.11
808342	C Slaughter New Canaan Conn	24	95					1.19

Total number of pieces listed by sender: Twenty One 21

Total number of pieces received at post office

Postmaster's initials

NEW YORK NY
APR 6 1973
REGISTRY

PLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE
(Not to be used for articles mailed as ordinary registered mail)

2621a

Affix stamp here for additional copies of this bill

Postmark and date of receipt

SMITH, BARNEY & CO. INCORPORATED
20 BROAD STREET
NEW YORK, N. Y. 10005

hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of nonnegotiable securities

4/5/73

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted fee paid	(7) Full value or cost of duplication if nonnegotiable securities	(8) Surcharge on entire contents of article	(9) REMARKS
808291	Winter Pk Tel Winter Pk Fla	16	95		no	value none		1.11
808292	Union Planters Nat Bk Memphis Tenn	16	95					1.11
808293	Hon Rx Ind Muscatine Iowa	16	95					1.11
808294	Sun Oil Co Phila PA	16	95					1.11
808295	Provident Natl Bk Cincinnati Ohio	24	95					1.19
808296	Palmer 1st Nat Bk&Tr Sarasota Fla	16	95					1.11
808297	N C Natl Bk Charlotte N Carolina	16	95					1.11
808298	Liberty Nat Bk&Tr Okla City Okla	24	95					1.19
808299	Harter Bk&Tr Canton Ohio	16	95					1.11
808300	Ft Worth Nat Bk Ft Worth Texas	16	95					1.11
808301	1st Nat Bk&Tr Okla City Okla	24	95					1.19
808302	Citizens&South Nat Bk At GA	16	95					1.11
808303	E Gabriel Larchmont NY	16	95					1.11
808304	1st Nat Bk&Tr Midland Mich	16	95					1.11
808305	R Robert Beer Dallas Texas	16	95					1.11
808306	E Skove P Skove Darien Conn	24	95					1.19
808307	H Hall San Diego Calif	16	95					1.11
808308	D Parchmer Okla City Okla	16	95					1.11
808309	C Flather Concord Mass	24	95					1.19
808310	Hartford Nat Bk&Tr Hartford Conn	16	95					1.11
808311	Perry Bass Ft Worth Texas	16	95			4		1.11
808312	CMD Construction Chicago Ill	32	95					1.27
808313	Proctor Tr Co Proctor VT	16	95					1.11
808314	B Breyman Chicago Ill	16	95					1.11
808315	J Morrow WestPort Conn	16	95					1.11
808316	Erich Haas Sun City arizona	16	95					1.11
808317	Home Life Ins Phila PA	16	95					1.11
808318	1st Gulf Beach Bk&Tr St Peter B Fla	16	95					1.11
808319	M Walsh Fort Worth Texas	24	95					1.19
808320	Hancock Bk Gulfport Miss	16	95					1.11

Total number of pieces listed by sender: Thirty 30

(Write number here in words and figures)

Total number of pieces received at post office: 30

Postmaster, per

NOTE Additional receipted copies of this bill will be furnished or certificates of mailing only, upon payment of one cent for each article listed on each additional copy of the bill. Claims for indemnity may not be paid unless articles are properly marked and endorsed and unless claims are presented within the prescribed time limit. See Domestic Mail Manual for detailed information.

(DUPLICATE)

TO BE RECEIPTED BY POST OFFICE

APPLICATION FOR POSTAL REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

The undersigned sender hereby applies for the registration of the articles described on this sheet and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed, or the known or estimated cost of duplication in the case of non-negotiable securities, and that the amounts of commercial insurance placed on the matter to be registered as stated on this sheet are also correct.

PARRISH SECURITIES INC. DATE 4/5/73 2622a

RECEIVED FROM **PARRISH SECURITIES INC.** 63 Wall St. New York, N.Y. Louis Gimm

THE FOLLOWING DESCRIBED PIECES OF FIRST CLASS REGISTERED MAIL

(1) NUMBER OF ARTICLE (REGISTRY NUMBER)	(2) NAME OF ADDRESSEE STREET AND POST OFFICE ADDRESS	(3) Postage (surcharge and other charges on face)	(4) Registry fee	(5) Total surcharge on contents of article	(6) Value of any coin or coin which surcharge is based on (only coin or value until [illegible] of face value)	(7) Amount on anticipated cost of duplication of non-negotiable securities on which surcharge is based or cost of duplication, or declared value less than the full value	(8) Total items 6 & 7	(9) Total amounts reviewed by commercial insurance in amount of	(10)
✓ K46880	Mr. Jerry Faranetta 460 Grandview Ave. Wyckoff, N.J. 07481	.24	.95			nv			
✓ K46881	Miss Blanche B. Hemmer 688 King Ave. City Island, N.Y. 10464	.16	.95			nv			
✓ K46882	Crown Trust Co. 302 Bay St. Toronto, Canada Stock Transfer Dept.	.24	.95			nv			
✓ K46883	First National Bank in Dallas 1401 Main St. P.O. Box 6031 Dallas, Texas 75222 Stock Transfer Dept.	.08	.95			nv			
✓ K46884	Richard Alyn & Co. 1 Exchange Place Jersey City, N.J. 07302	.08	.95			nv			
✓ K46885	Gates Carter & Co. Inc. 2314 - 14th St. Gulfport, Miss. 39501	.08	.95			nv			
✓ K46886	Robert Green & Co. 606 S. Olive St. Los Angeles, Calif. 90014	.16	.95			nv			
✓ K46887	Mrs. Anna Faranetta 460 Grandview Ave. Wyckoff, N.J. 07481	.08	.95			nv			
✓ K46888	Mrs. Phyllis E. Marbarger 206 Madison Ave. Hyde Park, Reading, Pa. 19605	.08	.95			nv			
✓ K46889	Mrs. Freda K. Pines, Sidney H. Malkan & Myron Cohen A_1138 Cedarbrook Hill Apts. Wyncote, Pa. 19095	.16	.95			nv			
✓ K46890	National Bank of North America 2300 Grand Ave. Bladwin, N.Y.	.08	.95			nv			
✓ K46891	Mr. Paul G. Reidler c/o Ashland Knitting Mills Front & Chestnut Sts. Ashland, Pa. 17921	.08	.95			nv			

Total number of pieces listed TWELVE (Write number here in words) 12

Total number of pieces received at post office 12

Postmaster, per [illegible]

GOVERNMENT'S EXHIBIT
U.S. DIST. COURT
S. D. OF N.Y.
40

2623a

Lock No. R12589 Rotary No. 180 Jacket No. Control No.

BILL NO. 217 Page No. A.M. Rte. & Flt. No. Seal No.

To 180 (P.O.—or R.P.O. and Tr. No.)

REGISTERS

NEW YORK, N.Y. PECK SLIP STA. Postmark of APR 15 1973 Dispatching Office USPO

NEW YORK, N.Y. PECK SLIP STA. Postmark of APR 15 1973 Dispatching Office USPO

*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	*Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN
1 0819	P.S.S.	11	
2 47F3637	"	12	
3 47F3635	"	13	
4 47F3636	"	14	
5 523446		15	
6		16	
7		17	Final Bill
8		18	
9 SEE Form 3877 = 123		19	
10		20	

A total of 128 articles sent by this dispatch

A total of 128 articles received on this dispatch

POSTMASTER

POSTMASTER

6.00 P.M.

Dispatching Clerk

C.R.T.2D

D. Burk

Receiving Clerk.

Postmark of APR 6 1973 Receiving Office

Postmark of APR 6 1973 Receiving Office

Bill No.

A.M. Rte. & Flt. No.

Jacket No.

Lock No.

Rotary No.

Seal No.

Received articles described on above-specified bill from dispatching office named in postmark.

Receiving Clerk

(Use back for reporting irregularities or discrepancies)

PS Form 3883—Feb. 1972 Write "O" on outside piece, and show destination. ☆ U.S. GOVERNMENT PRINTING OFFICE: 1971 O—410-999

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

APR 5 1973

FIRST NATIONAL CITY BANK (NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
186128	BACHE & Co P.O. BOX 4069 HONOLULU HAWAII	55	95			NV		AM
186129	BACHE & Co 275 PONCE DE LEON AVE HATO REY PUERTO RICO	55						
186130	BANCO DE ECONOMIAS Y PRESTAMOS SAN GERMAN PUERTO RICO	11						
186131	HERRN HEINRICH W ITTHOFF BERLIN 62 - BRUNHILDSTR 4 GERMANY	42				500	FCM	
186132	MR WILLIAM B SOLAR VIA SPALLANZANI 15 INT 3 ROME ITALY	42				7000	FCM	
186133	MR. DANIEL FITZGERALD ASCHAFFEN BURG AMER. SCHOOL APO NY 09 GERMANY	42				2500	FCM	
186134	BISHOP TRUST CO KING & BISHOP STS HONOLULU HAWAII	11				NV		
186135	MANUFACTURERS HANOVER TRUST CO 7 PRINCES STREET LONDON ENGLAND	210	✓			1000	FCM	↓

APR 6 1973

NEW YORK, N.Y. APR 5 1973

Eight

Total number of pieces listed by sender (WRITE NUMBER HERE IN WORDS)

AFFIX STAMP HERE FOR ADDITIONAL COPIES OF THIS

2624a

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

BACHE & CO. INC.
100 GOLD STREET
NEW YORK, N.Y. 10038
(NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

APR 5 - 1973

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
03952	DR. DONALD, MRS SARAH & MAY Q. LEVIN C/F MD. LOMBARD GREEN ST. BALT. MD	8	95					
03953	SEC. NAT'L BK. Y25. 16TH ST P.O. BOX 5586 DENVER COLO.	11	95					a m.
03954	1ST WISCONSIN TR. CO. CORP TR. DEPT. MILWAUKEE, WISC.	11	95					a m
03955	OHIO-NAT'L BANK CORP TR. DEPT COLUMBUS, OHIO.	11	95					a m
03956	ROBINSON-HUMPHREY-CO INC P.O. BOX 1705 ATLANTA, GA.	~~16~~ 15		15		5000		
03957	RIVIERE & BERENS SEC. 1832 M ST. N.W. WASHINGTON, D.C.	16	95	15				
03958	B.J. LEONARD & CO. 73. M'GEE ST. DENVER COLO.	16	95	15				
03959	ALPHA & CO. INC. 225 E. MASON ST. MILWAUKEE, WISC.	16	95	15				
03960	MUTUAL FUND ASSOC. 2 PENN CENTER PHILA, PA	8	95	15				
03961	MANNA FIN. PLAN CORP 6231 LEE HWY. BLVD. FALLS CHURCH, VA	8	95	15		N.Y.		
03962	ROTAN, MOSLE INC. 3737 1ST NAT'L BK. BLDG. DALLAS, TEX	16	95	15				
03963	UNIVERSAL SEC. BRANCH MKT. BLDG BIRMINGHAM, ALA	16	95	15				
03964	UNDERWOOD NEUHAUSLER INC. 724 TRAVIS ST. RUSK BLDG. HOUSTON, TEX	16	95	15				
03965	STIFEL-NICOLAUS & CO 314 NO. BROADWAY ST. LOUIS, MO	16	95	15				
03966	PIPER JAFFRAY & HOPWOOD 115 SO. 7TH ST. MINNEAPOLIS, MINN	16	95	15				
03967	MONROE SEC. CORP 125 STATE ST. ROCHESTER, N.Y.	16	95	15				
03968	MCDONALD & CO UNION COMMERCE BLDG CLEVELAND, OHIO	16	95	15				
03969	MAY & GANNON INC. 50 FEDERAL ST. BOSTON, MASS.	16	95	15				
03970	SAN FRANCISCO MUTUAL SEC. CORP 220 SACRAMENTO ST SAN FRANCISCO, CAL.	16	95	15				
03971	WM. P. HARPER & SON 1604 3RD AVE SEATTLE, WASH.	16	95	15				
03972	JEFFRIES & CO INC 445 S. FIGUEROA ST. LOS ANGELES, CAL.	24	95	15				
03973	THE OHIO CO. 51 NORTH ST COLUMBUS, OHIO.	24	95	15				
03974	RUSS & CO. ALAMO NAT'L BLDG SAN ANTONIO, TEX.	24	95	15				
03975	UNITED CALIF BANK 651 S. SPRING ST. LOS ANGELES, CAL.	100	95					a m

NEW YORK, NY PECK STA
APR 5 1973

APR 6 1978

2625a

24 Bulk

Total number of pieces listed by sender Thirty Four
(WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office

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APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

_____ (NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

APR 5 1973

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
[illegible]	R. W. Wilson [illegible] Hollow Killingworth Conn.	16	3 25	15		5000		
[illegible]	K. M. Baker 7460 SW 130 St. Miami Fla.	16				5000		
[illegible]	C. Soff 23 Berkley Lane Scarsdale NY	16				5000		
[illegible]	L. A. Merrit 11 [illegible] NY NY	16				5000		
[illegible]	A. F. Kobet 10 W Westcliff Lane Westbury NY	16				5000		
[illegible]	W. Dipsin 52 Dellwood Ave. Bronxville NY	16	4 25			10000		
[illegible]	Mrs. M. L. [illegible] 1660 Schenectady Ave. Brkln NY	16				10000		
[illegible]	[illegible] Kexler 252 174 A. Mia Bch Fla.	32				20000	200	
[illegible]	F. Fickel 7600 Pelt Plaza St. Peters Burg Fla.	32				20000	200	
[illegible]	Mrs. A. G. Cutter 1076 86 A. NY NY	56	3 25			5000		
[illegible]	L. P. Mulhare 10185 Collins Ave. Mia Bch Fla	56				5000		
[illegible]	I. J. Gold 35 Chestwood Lane Valley Stream NY	56				5000		
[illegible]	H. D. Sussman 56 Hamilton Rd. Scarsdale NY	64				5000		
[illegible]	E. G. Kemper 11 Bayview Pl. Madison Conn.	50				5000		
[illegible]	Miss A. M. Hyland 62 Leydecker Rd. W Seneca NY	56				5000		
[illegible]	[illegible] Lewis 121 Delaware Ave Buffalo NY	64				5000		
[illegible]	D. Hecht 612 University Dr. Coral Gables Fla.	72	4 25			10000		
[illegible]	Dr. S. Kaplan 1630 Sheridan Ave. Mia Bch Fla.	64				10000		
[illegible]	Mr. & Mrs. C. D. Stevens 21 Aberdeen Pl. Brkln. NY	64				10000		
[illegible]	S. [illegible] 7135 Brandon Rd. Hollywood Fla.	72				10000		
[illegible]	[illegible] J. Kaplan 1432 Elsinore Phila. Pa.	72				10000		
[illegible]	H. Klein 45-35 44 St. L I C NY	64				10000		
[illegible]	Mrs. N. F. King 316 75 St. NY NY	64				4000	600	
[illegible]	C. C. Gillett 247 Wells Rd. Palm Bch. Fla.	8	95					

24 D. Burke

Total number of pieces listed by sender

WRITE NUMBER HERE IN WORDS

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US APR 5 1973 N.Y. NEW YORK, N.Y. PM

2626a

PR 5 1973

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

BACHE & CO. INC.
100 GOLD STREET
NEW YORK, N.Y. 10038
(NAME OF SENDER)

(No collection of surcharge is required on international registered mail)

hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

APR 5 1973

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
03904	THE O'MALEY INV. Co. POB. 3558 PHOENIX ARIZ	16	95					
03905	F.J. PLETTICHA 7437 FOREST VIEW DR. N. RIVERSIDE ILL	16	95					
03906	MRS. A.M. KELLOGG 45 TRINITY PL. NEW ROCHELLE NY	8	95					
03907	MISS E. LAWTON 167 HIGHLAND AVE. RIDGEWOOD NJ	8	95					
03908	MRS. D.W. CALHOUN QUARTERS 32 CITY ARMY CAMP GRANITE CITY ILL	8	95					
03909	D. MARTIN HOTEL STERLING MEDFORD WISC.	8	95					
03910	MRS. W. BISSETT 111 E. MARLTON PIKE CHERRY HILL NJ	8	95					
03911	L.V. BERLIN 1 BIG-TOP FRONT ST. BINGHAMTON NY	8	95					
03912	T.D. MITCHELL 4 GEOLOGICAL DEPT. U. OF CALIFORNIA DAVIS CAL.	8	95					
03913	J.W. KEEPER JR. GOODYEAR RUBBER Co. POB 430 AKRON OHIO	8	95					
03914	EXCHANGE MUTUAL INS. Co. 74 DELAWARE AVE. BUFFALO NY	8	95					
03915	MRS. L.F. DIX 103 CHURCHWARDENS Rd. BALTO MD	8	95					
03916	WELLS FARGO WELLS Co. 135 S. LASALLE ST CHICAGO ILL.	8	95					
03917	E.M. & F. REYNOLDS MCKEE POB 397 NEW PORT RICHEY FLA.	8	95					
03918	S. LEVINE 3203 KANAWHA AVE. SE. CHARLESTON W. VA.	8	95					
03919	BRADFORD TRUST Co. POB 1090 WALL ST. STA. NY NY	24	95					
03920	FIRST NAT'L BANK POB A-700 MPLS MINN	44	95					
03921	BANK OF COMMONWEALTH 719 GRISWOLD ST. DET. MICH.	56	95					
03922	BK OF CALIF. POB 37002 SAN FRAN. CALIF.	77	95					
03923	FIRST NAT'L BK. 100 BISCAYNE BLVD. POB 2500 MIAMI FLA	160	95					
03924	MERCANTILE SAFE DEP. & TR. CO. VAULT BALTIMORE & HOWARD ST. BALT. MD	48	95					
03925	HAMILTON NAT'L BK. CHATTANOOGA TENN.	48	95					
03926	3RD NAT'L BK & TR. CO. NASHVILLE POB 2554 NASHVILLE, TENN.	32	95					
03927	ST. LOUIS UNION TR. Co. 510 LOCUST ST. ST. LOUIS MO	100	95					

APR 6 1973 — NEW YORK, N.Y.

AM
AM
AM
AM
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AM

2627a

24 Pieces

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Total number of pieces received at post office _____

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APR 5 1973

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

5

BACHE & CO. INC.
100 GOLD STREET
NEW YORK, N.Y. 10038
(NAME OF SENDER)

(No collection of surcharge is required on international registered mail)

APR 5 1973

APR 5 1973

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03976	PUTNAM, FUND DISTR. INC 265 FRANKLIN ST. BOSTON, MASS	16	95					
03977	SUPLEE-MUSLEY INC 17TH MKT ST. PHILA, PA	24	95	15				
03978	BANK OF AMERICA POBOX 3002 - SAN FRANCISCO, CALIF	33	95					Am
03979	SOUTHERN NEW ENGLAND BELL TEL CO 227 CHURCH ST. NEW HAVEN, CT	48	95	15				
03980	BACHE & CO INC 41 SO - HIGH ST. COLUMBUS, OHIO.	33	95	15				Am
03981	OFFICE OF THE SECRETARIES - 451 - 7TH ST. S.W. WASHINGTON, D.C.	24	95	15				
03982	CONTL ILL NATL BK & TR CO 231 SO LA SALLE ST. CHICAGO, ILL.	22	95					Am
03983	[illegible]	8	95					
03984	THOMSON & MCKINNON 425 - 2ND ST. ST PETERSBURG FL.	8	95					
03985	[illegible] 143 SO MAIN ST. AKRON, OHIO.	100	95					Am
03986	MICHAEL G. SIEBERT 220 HOME AVE. OAK PARK, ILL	56	95	15		N.Y.		
03987	TEXAS COMMERCE BK N.A. 712 - MAIN ST. HOUSTON, TEX	11	95					Am
03985	CONTL ILL NATL BANK & TR CO 231 SO LA SALLE ST. CHICAGO ILL	33	95					Am
03984	(FOR COD) BANK OF N.Y. TR CO. S RUSSELL KINGSBURY - BOX 426 - HOMEWOOD PORT. MAINE	27	95					
03990	MALCOLM B. HALLER SUPREME COURT OF STATE OF N.Y. BRONX	8	95					
03991	PEARCE & FINKELSTEIN 40 WALL ST. Accounts Gen. Hosp 1750 NE 162 ST. N. MIAMI BCH. FLA	8	95					
03992	RUDOLPH SCHMUCK CO SAGAMORE HOTEL 1670 COLLINS AVE. MIAMI BCH. FLA	8	95					
03993	OFFICE OF THE VICE PRES - 451 - 7TH ST. S.W. WASHINGTON, D.C.	16	95	15				
03994	CHEMICAL ENTERPRISE ASS'N BK 6343 - SAN FERNANDO RD GLENDALE, CA	64	95					

NEW YORK, NY PECK SLIP STA. APR 5 1973 (USPO)

2628a

19 Bunk

Total number of pieces listed by sender nineteen
WRITE NUMBER HERE IN WORDS

Total number of pieces received at post office _____

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APR 5 1973

APR 5 1973

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

100 GOLD STREET
NEW YORK, N.Y. 10038

3

_____ hereby applies for the registration of the articles described below and
(NAME OF SENDER)

certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

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3928	Joseph J. Bob Foss + Wm. V. Roth 360-355 Stuart Way, Erie, PA	16	95			N.Y.		
3929	Wyatt Co. - P.O. Box 5015 - Winston-Salem, N.C.	16	95					
3930	Financial Security Life Ins. Co. - Piedmont Trust - Atlanta, GA	8	95					
3931	Mr. Leonard Adler, 524 Jessup St. Scranton, PA	8	95					
3932	Mr. & Mrs. E. Mercer, 52465 Scone, Livonia, Mich	8	95			N.Y.		
3933	Mr. Philip Sands - 565 Fifth Ave. New York City	8	95					
3934	Jax Navy Federal Credit Union P.O. Box 7746 Jacksonville, FL	8	95	15				
3935	Mrs. H. G. Greenway, Plaza, Houston, Texas	8	95	15				
3936	Consolidated Sec. 920 - N. Fed. Hwy. Pompano Beach, FL	8	95	15				
3937	Ronelan, Shelp - Co. Inc. 230 S. Bemiston Ave. St. Louis, Mo.	8	95	15				
3938	Eidler, Budd Co. - McBile Oil Bldg. - Minneapolis, Minn	8	95	15				
3939	Equitest, Corp. 401 Maryland Tr. Bldg. Calvert + Redwood Sts. Balto, Md	8	95	15				
3940	Financial Est. Plan - 4207 Penn Hgy - Jonesville, Penn.	8	95	15				
3941	Sec. Commodities P.O. Box 1256 - Grand Central Sta. NY, NY	8	95	15				
3942	Applied Fin. Systems 155 Bovet Rd. San Mateo, Calif.	8	95	15				
3943	Channing, Newman - Sec. 39 So. La Salle St. Chicago, Ill.	16	95	15				
3944	Brown - Allen + Co. - 600 Vaughan Bldg. - Dallas, Tex.	16	95	15				
3945	First Southwest Co. Mercantile Bldg. Dallas, Tex	16	95	15				
3946	Keystone Co. of Boston, 99 High St. Boston, Mass	24	95	15				
3947	Discor P.O. Box 24 Bldg. Los Angeles, Calif	24	95	15				
3948	Boston Co. Equitable Bldg. Denver, Colo.	24	95	15				
3949	Aged Wards Servs. of Mo. Inc. 8th St. St. Louis, Mo.	24	95	15				
3950	Canada Perm. Trust Co. Toronto Dominion Bldg. Montreal 2 Que. Canada	16	95					
3951	Mellon Bank N.A. Corp. Tr. Dept. Pittsburgh, Pa.	8	95					

NEW YORK, N.Y. APR 5 1973 PEARL STA

APR 6 1973 A.M.

2629a

24 2. Bank

Total number of pieces listed by sender Twenty Four
(WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office _____

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APR 1973

GOVERNMENT'S EXHIBIT
U.S. DIST. COURT
S.D. OF N.Y.

94311 ✓ 0224 opened at CSS
B-341 Rotary No. ~~021~~ Jacket No. See Attached Manifold Control No. 101
Page No. Airmail Seal No. 73
H P.O. 10001 B-2X 1R-173
(P. O. or R. P. O. and Tr. No.)

REGISTERED MAY 5 1973

Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN	Pcs.	Reg. No., Jacket, Lock or Seal Nos.	OFFICE OF ORIGIN
913587 -	600-501-509 Wells Far.	23	16	
926296 -	300-901-919 Hornblower	24	17	
925944 -	967 "	24	18	
925920 -	943 "	24	19	
914604 -	661 Bk of Amer.	58	20	
979352 -	365 First Wire.	14	21	
926016 -	025 Hornblower	10	22	
N-63492 -	500-300-318 Bear S.	28	23	
T-93466 -	473 Little Hour.	8	24	
			25	
			26	
			27	
			28	
			29	
			30	

TOTAL - 213

213

Total of 213 articles sent by this dispatch

POSTMASTER, J. Dennis 540 M.
Dispatching Clerk.

Total of 213 articles received in this dispatch

POSTMASTER, Cedar 525P

Form 3854—Mar. 1972

Bill No.
A.M. Rte & Flt. No.
Jacket No.
Lost No.
Rotary No.
Seal No.

Received articles described on above specified bill from dispatching office named in postmark.

Receiving Clerk.

(Use back for reporting irregularities or discrepancies)

NEW YORK N.Y. APR 16 1973 REGISTERED

2630a

WELLS FARGO BANK INTERNATIONAL
40 WALL STREET, NEW YORK CITY, N. Y. 10005

NAME AND ADDRESS OF SENDER

April 5/73

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1 913587	SYED MAHAMOOD KANDAHAR AFGHANISTAN	12.92	95			NV		
2 913588	WELLS FARGO BANK LUXEMBOURG VILLE LUXEMBOURG	.42	"			"		
3 913589	CORPORACION INTERAMERICANA MEXICO DF MEXICO	"	"			"		
4 913590	BANCO INDUSTRIAL COLOMBIANO MEDELLIN COLOMBIA	1.05	"			"		
5 913591	BULGARIAN FOREIGN TRADE BANK SOFIA BULGARIA	1.47	"			"		
6 913592	TINNGHIANGHANG SAIGON VIETNAM	3.99	"			"		
7 913593	BANK INDONESIA DJAKARTA INDONESIA	2.31	"			"		
8 913594	BANK DAGANG NEGARA DJAKARTA INDONESIA	1.68	"			"		
9 913595	FARMERS BANK OF CHINA TAIPEI TAIWAN	3.78	"			"		
10 913596	VIETNAM THUONG TIN SAIGON VIETNAM	3.36	"			"		
11 913597	BANK OF COMMUNICATIONS SAIGON VIETNAM	2.31	"			"		
12 913598	FARMERS BANK OF CHINA TAIPEI TAIWAN	4.83	"			"		
13 913599	KOREA EXCHANGE BANK SEOUL KOREA	2.10	"			"		
14 913600	THE INT. COM. BANK OF CHINA VIETNAM CHOLON	2.52	"			"		
15 913501	BULGARIN FORFIGN TRADE BANK SOFIA BULGARIA	2.52	"			"		
16 913502	DAI NAM NGAN HANG SAIGON VIETNAM	2.94	"			"		
17 913503	THE CHARTERED BANK SAIGON VIETNAM	2.10	"			"		
18 913504	VIETNAM TAM HUU CONG TY SAIGON VIETNAM	2.10	"			"		
19 913505	VIETNAM THUONG TIN SAIGON VIETNAM	2.94	"			"		
20 913506	J. TALCOTT [illegible] AGY OF AMERICA NEW YORK NY	.32						

NEW YORK N.Y. APR 6 1973

TOTAL NO. OF PIECES LISTED BY SENDER	TOTAL NO. OF PIECES REC'D AT P.O.	POSTMASTER, PER (Name of receiving employee)	"Show under "Remarks" class postage paid if other than first or if international
20 ✓	20	5.30	

PS Form 3877, Mar. 1971 — APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

23 on 2

648—16—6792-16 U.S. GOVERNMENT PRINTING OFFICE

2631a

NAME AND ADDRESS OF SENDER

WELLS FARGO BANK INTERNATIONAL
40 WALL STREET, NEW YORK CITY, N. Y. 10005

April 5/73

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	913507	Manufacturers Hanover Int Corp 270 Park Ave NY NY	.24	45			NJ		
2	913508	Trust Department Bank of Boston Bureau Opatentes	17	11			"		
3	913509	Banque Europeenne Bruxelles Belgium	.63	1.0			"		
4	~~913510~~	~~Bankers Trust Co Int'l Corp Trust Dept 280 Park Ave NY NY~~	~~.36~~			RR Letter	"		
5									
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NEW YORK, NY APR 6 1973 MID-TOWN

NEW YORK, N.Y. WALL STREET STA. APR 5 1973

TOTAL NO. OF PIECES LISTED BY SENDER: 3 (3)

TOTAL NO. OF PIECES REC'D AT P. O.: 3

POSTMASTER, PER (Name of receiving employee): Karp + Engle

$ .30

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

c49—16—6792-16 U.S. GOVERNMENT PRINTING OFFICE

2632a

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

Hornblower & Weeks-Hemphill, Noyes, Inc.
120 Wall Street,New York,New York 10005
(NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

4/6/73 M.Romey Registered Mail

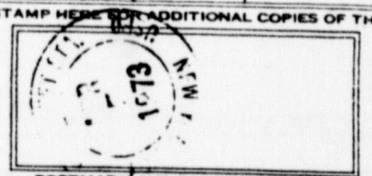
(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
✓ 926016	SILVER CHIEFTAIN CO.POB 204 SPOKANE,WASH.99210	11	1	11	✓	N. N.		
✓ 926017	MR.MORRIS EVERETT,R.D.3,Fairmount Blvd Chagrin Falls,Ohio 44022	11	1		✓	"		
✓ 926018	American Fund Svc POB60829 Terml Ann LA CA	32	1		✓	"		
✓ 926019	Data Sys Tance,Box 1591 Kansas City MO64141	11	1		✓	"		
✓ 926020	American Exp Inv Co 550 Laurel St.SanFran,Ca	11	1		✓	"		
✓ 926021	Data Sys Tance,Box 1400 Kansas City MO 64141	11	1		✓	"		
✓ 926022	Securities Compudata,529 5thAvenue NY NY	11	1		✓	"		
✓ 926023	Jean R.Benneche,3240 S.Granada Ave,SpringValley,Ca	11	1		✓	"		
✓ 926024	Dr.Bernard J.Shuman,Windsor Twrs Bldg.Apt.7G Cherry Hill NJ 08034	11	1		✓	"		
✓ 926025	United California Bk2301 S.Main Santa Ana,Ca.92707	11	1		✓	10,000	10	10,000
						N.N.		

Total number of pieces listed by sender TEN (10)
(WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office 10

Postmaster, per _____
(NAME OF RECEIVING EMPLOYEE)

AFFIX STAMP HERE FOR ADDITIONAL COPIES OF THIS BILL



POSTMARK AND DATE OF RECEIPT

2633a

R.M. 52A

NAME AND ADDRESS OF SENDER

BANK OF AMERICA
37-41 BROAD ST.
NEW YORK, NY 10004

Indicate type of mail:
☑ REGISTERED ☐ REGISTERED C.O.D. ☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	914604	Bank Sepah Takht Jamsh. d Sharghi Br. Teheran Iran	63	95	-	-	NV	-	Air
2	605	Commerce Bank 11 Chundrigar Rd Karachi, Pak	84	95	-	-	1	-	"
3	606	Nat'l Bk of Commerce POB 20230 Dar Es Salaam Tanzania	63	95	-	-	1	-	"
4	607	BK Sepah Bazar Br Teheran, Iran	273	95	-	-	1	-	"
5	608	Bank Sepah Ahwaz, Iran	42	95	-	-	1	-	"
6	609	Bank of Baroda POB. 418 Baroda, India	147	95	-	-	1	-	"
7	610	Banque Libano Francaise Beirut, Lebanon	84	95	-	-	1	-	"
8	611	Central BK of Jordan POB 37 Amman Jordan	168	95	-	-	1	-	"
9	612	Egytian Int'l BK For Foreign Develop. Cair, Egypt	273	95	-	-	1	-	"
10	613	Central Nat'l Corp Comm. Div. Acct 100 Park Av NYC	08	95	-	-	1	-	Surf
11	614	Tinque Brown + Co Englewood, N.J	08	95					"
12	615	Myrden Co Acct L. of C Montevideo, Uruguay	34	95	-	-	1	-	Air
13	616	Bank of Ghana POB 2674 Accra Ghana	105	95	-	-	1	-	"
14	617	Gray Colombia NY Inc 1 World Trade Cnt NYC	56	95	-	-	1	-	Surf
15	618	Petroleo Brasilero Rio De Janeiro Brasil	1156	95	-	-	1	-	Air
16	619	Petroleo Brasilero Aeropuerto St Dumont Rio De Janeiro	170	95	-	-	1	-	"
17	620	Mr Juan Carlos Vivado B/A La Paz Bolivia	68	95	-	-	1	-	"
18	621	Pacol Canada Suite 1104 747 Denm. Dorch Dunmills	11	95	-	-	1	-	"
19	622	DRESDNER BANK KLN GERMANY	21	95	-	-			"
20	623	Bank of NOVA SCOTIA TORONTO ONTARIO Canada	11	95	-	-			"

NEW YORK, NY APR 6 1973 PM

OASD APR 5 1973

TOTAL NO. OF PIECES LISTED BY SENDER 20

TOTAL NO. OF PIECES REC'D AT P.O. 20

POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION (Surcharges are not required on international registered mail)

U.S. GOVERNMENT PRINTING OFFICE

2634a

NAME AND ADDRESS OF SENDER

APR 5 1973

FIRST WISCONSIN INTERNATIONAL BANK
20 EXCHANGE PLACE
NEW YORK, N. Y. 10005

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
✓1	979352	Banco Nacional de Comercio Exterior, S.N.C. Insurgentes Sur 1971 Mexico	3.23	95			N V		A M
✓2	979253	Banco de Comercio, S.A. Apartado 1 Managua, Nicaragua	1.36	95			"		"
→	979254	Empire Nat'l Co. 120 Central St. New York, NY	.08	95			"		Int'l.
✓4	979255	Banco de Reservas de la República Dominicana, Apartado 1247							
5		Santo Domingo, Dominican Rep.	4.25	95			"		A M
✓6	979256	Banco del Estado de Chile, Casilla 11, Chile-Valparaiso	.68	95			"		"
✓7	979257	Banco Nacional de Pernambuco, Recife - Brazil	17	95			"		"
✓8	979258	Banco de Santander y Colombia, Barranquilla, Rep. de Colombia	17	95			"		"
✓9	979259	Banco del Comercio, 7ª Ave. 1-26 Zona 4, Guatemala-Guat.	17	95			"		"
✓10	979260	Banco del Crédito Industrial, Caracas 45-22-14 Carabobo-Ve.	17	95			"		"
✓11	979261	Banco del Comercio, Caracas 44-34-26 Carabobo-Venez.	17	95			"		"
✓12	979262	Banco Real, S.A. Rua 716 São Paulo - Brazil	17	95			"		"
✓13	979263	Banco de Maracaibo, Caracas 44 por calle 34 Carabobo-Venez.	17	95			"		"
✓14	979264	Banco de Occidente, 7ª Ave. 6-52, Guatemala-Guat.	17	95			"		"
✓15	979265	Banco Comercial Antioqueño, Calle 34-43-66 Carabobo-Venez.	17	95			"		"
16									
17									
18									
19									
20									

NEW YORK, NY APR 6 1973 GPO REGISTRY

Rec'd 14

TOTAL NO. OF PIECES LISTED BY SENDER — 14 — ✓

TOTAL NO. OF PIECES REC'D AT P.O.

POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

o&D—10—6703-16 U.S. GOVERNMENT PRINTING OFFICE

2635a

THE TITLE GUARANTEE COMPANY
120 BROADWAY, NEW YORK, N. Y. 10005

APR. 5, 1973

NAME AND ADDRESS OF SENDER

Indicate type of mail:
☒ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	T-93 466	MR. JOHN HILGELMAN, 645 - ST BE-LE TERRE ROAD PORT JEFFERSON, N.Y.	08	95	15		NONE	✓	PAPERS
2	467	PIONEER NATL. TITLE INS. CO. ONE ESSEX ST HACKENSACK, N.J.	64	"	"		"	✓	"
3	468	FIRST FED. SVS. & LOAN ASSN. 71 FIFTH AVE-TE ST STATEN, N.Y.	08	"	"		"	✓	"
4	469	THE WILLIAMSBURGH SVS. BANK, BKLYN. N.Y. HANSON PLACE	08	"	"		"	✓	"
5	470	ATLAS SVS. & LOAN ASSN. 654 - 5TH AVE BKLYN. N.Y.	08	"	"		"	✓	"
6	471	RICHMOND HILL SVS. BANK JAMAICA AVE. + 116 ST. RICHMOND HILL, N.Y.	08	"	"		"	✓	"
7	472	THE TITLE GUAR. CO. 400 W. MAIN ST. RIVERHEAD, L.I. N.Y.	1.20	"	"		"	✓	"
8	473	DEPT. OF STATE, UNIFORM COMM. CODE SECT P.O. BOX 7021, ALBANY, N.Y.	72	"	"		"	✓	"
9									
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NEW YORK, NY APR 1 1973 GPO REGISTRY DIV

USPO NEW YORK, N.Y. WALL STREET STA. APR 1973

TOTAL NO. OF PIECES LISTED BY SENDER: Eight (8) ✓
TOTAL NO. OF PIECES REC'D AT P.O.: 8
POSTMASTER, PER (Name of receiving employee)

*Show under "Remarks" class postage paid if other than first or if international

PODD Form 3877, Nov. 1968

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

c48—16—6792-15 U.S. GOVERNMENT PRINTING OFFICE

2636a

NAME AND ADDRESS OF SENDER

BANK OF AMERICA
37-41 BROAD ST.
NEW YORK, NY 1000[illegible]

Indicate type of mail:
☑ REGISTERED ☐ REGISTERED C.O.D.
☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
914624	F N C B Succursal Fg Mex Mexico Mexico	11	95	-	-	NV	-	Air
625	Banco Fiduciario De Pan POB 692 Colon, Panama	17	95	-	-	"	-	"
626	Union Bk of Switz 8 Rue Du Rhone Geneva Switz	21	95	-	-	"	-	"
627	B/A POB 1638 Amsterdam Netherlands	21	95	-	-	"	-	"
628	Banco Popular Del Peru La Paz Bolivia	170	95	-	-	"	-	"
629	Banco Mercantil De Mex Apt 634 Mex Mexico	22	95	-	-	"	-	"
630	Bank of New So Wales Ballarat Vict Aust.	105	95	-	-	"	-	"
631	Bank of Amer Apdo Postal 1335 Guat. Cy Guat	51	95	-	-	"	-	"
632	Bank Mell. Iran Bazzar Br Teheran Iran	126	95	-	-	"	-	"
633	Bank Hapoalim Allenby Br Tel Aviv Israel	126	95	-	-	"	-	"
634	Ionian & Popular Bk of Greece Calamata Greece	84	95	-	-	"	-	"
635	First Jersey Nat'l Bk 1 Exch Pl Jer. Cy NJ	05	95	-	-	"	-	Surf
636	Registrar & Transfer 34 Exch. Pl. Jer. Cy NJ	24	95	-	-	"	-	"
637	B/A Mr Carl Reinhardt V.P. Mgr. Bogota Colom	272	95	20	-	-	-	Air
638	FNCB Beirut Lebanon	21	95	-	-	-	-	"
639	Banco De Bilbao London, England	21	95	-	-	-	-	"
640	Nat'l Bk of Westchester Harrison, N.Y.	24	95	-	-	-	-	"
641	Central Bk of Iraq POB 64 Baghdad Iraq	147	95	-	-	-	-	Air
642	Mr. Jose Joaquin Barrero Grancolombiana 1 World Trade Ctr NYC	95	95	-	-	-	-	Surf
643	RCA Corp Fostoria Rd Findlay, Ohio	22	95	-	-	-	-	Air

REGISTRATION APR 19 1973 NEW YORK NY

U.S.P.O. APR 19 1973 NEW YORK NY WALL ST. PET STA.

TOTAL NO. OF PIECES LISTED BY SENDER: 20

TOTAL NO. OF PIECES REC'D AT P.O.:

POSTMASTER, PER (Name of receiving employee):

*Show under "Remarks" class postage paid if other than first or if international

PS Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

GPO—16—5723-16 U.S. GOVERNMENT PRINTING OFFICE

2637

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

Hornblower & Weeks-Hemphill, Noyes, Inc.
120 Wall Street, New York New York 10005
(NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

4/5/73 M.Romey Regd.Mail

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
✓925944	Riggs Natl Bank of Washington D.C. POB 2651	75	15			N.N.		
✓925945	Union Bank of Los Angeles,California	11	15	15		"		
✓925946	Wells Fargo Bank,NA San Francisco,Calif.	11	15	15		"		
✓925947	Riggs National Bank,Washington D.C.	11	15	15		"		
✓925948	Mellon National Bank,Pitts Pa	11	15	15		"		
✓925949	Roses Stores, Inc PH ROSE BLDG HENDERSON .N.C.27536	50	15	15		"		
✓925950	Santa Monica Bank,1251 4th St.POB 550 SantaMonica,Ca	11	15	15		"		
✓925951	Guaranty Trust Co.88 University Ave.Toronto Ont Cda	11	15	30		"		
✓925952	Wachovia Bank &Trust Co.POB27886 Raleigh N.C.27611	24	15	15		"		
✓925953	Union Pacific Corp 120 BwayNY NY 10005	24	15	15		"		
✓925954	Republic Natl Life Ins Co3988 N Centl Expwy Dallas,Tx	24	15	15		"		
✓925955	Remington Arms Co.1007 Market St.Wilmington Del.	5	15	15		"		
✓925956	Union Planters Natl Bank Madison Ave&Front St Memphis, Tenn.38101					"		
✓925957	Natl Reserve Life Ins Co 419 W 29 St Topeka,Kansas					"		
✓925958	~~Xxxx~~ Securities Transfer Incl935 S.Main SaltLake City Utah					"		
✓925959	Arnold Graphi Indust. Uniontown,Ohio 44685					"		
✓925960	Natl Old Line Ins Co Box 2800 Little Rock,Ark					"		
✓925961	Bank of Pennsylvania,50 N.5th St.Reading,Penna.19601					"		
✓925962	~~Xxxx~~ Commercial Bk Tr Co.Wilmington Pl.Wilmington, Mass.					"		
✓925963	Cascade Natural Gas Corp 222 Fairview Ave NSeattle Wash					"		
✓925964	Jos.Dixon Crucible Co.Wayne,Monmouth Sts JerseyCity NJ					"		
✓925965	Intext,Inc.Oak & Pawnee Sts.Scranton Pa.18575					"		
✓925966	Edgecomb Steel Co.385 W.Hollis St.Nashua,N.H.					"		
✓925967	Union Center Natl Bank 2003 Morris Ave.Union,NJ07083					"		

Total number of pieces listed by sender TWENTY FOUR (24)
(WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office ✓

Postmaster, per
(NAME OF RECEIVING EMPLOYEE)

AFFIX STAMP HERE FOR ADDITIONAL COPIES OF THIS BILL

APR 1973

POSTMARK AND DATE OF RECEIPT

R.M. 82A

2638a

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

1- Hornblower & Weeks-Hemphill Noyes,Inc.
120 Wall Street,New York New York 10005

(NAME OF SENDER) hereby applies for the registration of the articles described below and certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

4/5/73 M.Romey Registered Mail

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
✓ 925920	MR. ALDEN R.WALTER,POB 905 PEORIA, ILL.61601		11			N.N.		
✓ 925921	Mrs.Grace/& Mrs.Jo C.Lavine,7061 N.Kedzie Av Chgo Il					"		
✓ 925922	Mrs.Suzane Abdalian,47-27 243rd St. Douglaston LI NY					"		
✓ 925923	Mrs.Dorothea G.Spencer,738 College Blvd SanAntonio,Tx					"		
— 925924	Theodore R.Racoosin,165 W46th St NY NY 10036					"		
✓ 925925	Bruno Kuhe,174 TerraVista Way San Francisco,Calif.					"		
✓ 925926	The Simsbury Bk Tr Co 740 Hopmeadow St.Simsbury,Ct.					"		
✓ 925927	Mrs.Mary Louise D.Orsinger,%Tr.Dept.Groos N/B San Antonio,Texas 78295					"		
✓ 925928	Mrs.Elixabeth B.Ross,3203 No.Mobile Chgo Il1160634					"		
— 925929	Monroe Eisenberg,111 Fulton Street NY NY 10038					"		
✓ 925930	Mr.Peter L.Ciaccio,POB2627,6029 Slauson Av Culver City Calif. W.Bloomfield, Mich.48033					"		
✓ 925931	Maurise & Belle Rosender,4436 Knightsbridge Lane					"		
✓ 925932	World Service Life Ins POB1876 Ft.Worth,Tex76101					"		
✓ 925933	Mr.Clyde L.Fore,POB 249 SilerCity,N.C.27844					"		
✓ 925934	Contl Ill Natl Bk Tr Co Chgo Ill					"		
✓ 925935	Bank of America 111 W7 St Los Angeles Ca					"		
✓ 925936	Bank of America 1 S Van Ness,San Francisco Ca					"		
✓ 925937	Cleveland Trust Co Cleveland,Ohio					"		
✓ 925938	First National Bank of Chicago, Illinois					"		
✓ 925939	Crocker National Bank, Los Angeles,Calif.					"		
✓ 925940	Harris Trust & Savings Bank, Chicago Illinois					"		
✓ 925941	Security Pacific National Bank Los Angeles,Calif.					"		
✓ 925942	United California Bank,Los Angeles,California					"		
✓ 925943	Central Bankand Trust Co Denver Colorado					"		

TWENTY FOUR (24) AFFIX STAMP HERE FOR ADDITIONAL COPIES OF THIS BILL

Total number of pieces listed by sender _____ (WRITE NUMBER HERE IN WORDS)

Total number of pieces received at post office ✓

Postmaster, per _____ (NAME OF RECEIVING EMPLOYEE)

POSTMARK AND DATE OF RECEIPT

2639a

R.M. 92A

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

Surcharges are not required on international registered mail

APRIL 5TH 1973

[illegible] (Name of sender)

[illegible] (Address)

hereby applies for registration of the articles described below.

NOTE: Additional restrictions apply to this bill. It will be honored at certificate fees only upon payment of the applicable fees as listed on each addressed copy of this bill. Claims for indemnity may not be filed if the articles are properly packed and unless claims are filed within prescribed time limits. (See postmaster for detailed information.)

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	(3) Postage (exclusive of other charges or fees)	(4) Registry fee	(5) Fee paid for return receipt	(6) Delivery restricted-Fee paid	(7) Value	(8) Surcharge on entire contents of article	(9) REMARKS*
1	[illegible]	126.95				N.V.		A.M.
2	[illegible]	[illegible]				[illegible]		[illegible]
3	91 [illegible]	[illegible]				[illegible]		[illegible]
4	92 [illegible]	[illegible]				[illegible]		[illegible]
5	93 [illegible]	[illegible]				[illegible]		[illegible]
6	94 [illegible]	[illegible]				[illegible]		[redacted]
7	95 [illegible]	[illegible]				[illegible]		[illegible]
8	96 [illegible]	[illegible]				[illegible]		[illegible]
9	V63700 [illegible]	[illegible]				[illegible]		[illegible]
10	V63300 [illegible]	[illegible]				[illegible]		[illegible]
11	01 [illegible]	[illegible]				[illegible]		A.M.
12	02 [illegible]	[illegible]				[illegible]		A.M.
13	03 [illegible]	[illegible]				[illegible]		A.M.
14	04 [illegible]	[illegible]				2500-N	40	A.M.
15	05 [illegible]	[illegible]				[illegible]		[illegible]
16	06 [illegible]	[illegible]				[illegible]		[illegible]
17	[illegible]	[illegible]				[illegible]		[illegible]
18	08 HIBERNIA TRUST & SAVINGS BAK CHICHGO, ILL	77	245.15			13000-N	2.40	[illegible]
19	09 MARINE NATL EXCHANGE BNK. MILWAUKEE, WIS	22	95			[illegible]		[illegible]
20	10 COMMERCIAL TRANS CORP. NEWIPSWICH, N.H.	[illegible]	95			[illegible]		[illegible]
21	11 THE FIFTH THIRD UNION TRUST CO CINCINNATI, OHIO	[illegible]	95			[illegible]		[illegible]
22	12 FIDELITY UNION TRUST CO NEWARK, N.J.	24	95			[illegible]		[illegible]
23	13 UNION BANK. LOS ANGELES, CALIF.	22	95			[illegible]		[illegible]
24	14 SECURITY PACIFIC NATL BAK LOS ANGELES, CA	22	95			[illegible]		[illegible]
25	15 WESTERN CALIFORNIA BANK. LOS ANGELES, CALIF.	22	95			[illegible]		[illegible]
26	16 CONTINENTAL ILL NATL BK & TRUST CO CHICAGO, ILL	22	95			[illegible]		[illegible]
27	17 SEATTLE F. [illegible] HNT BK. SEATTLE, WASH.	22	95			[illegible]		[illegible]
28	18 NASSAU [illegible] TR. CO. [illegible] N.Y.	22	95			[illegible]		A.M.
29								
30								

*Show in "Remarks" column (9) class postage paid if other than first class international mail. Also use this column to indicate "SH" if "Fragile," "SD" if "Special Delivery," "AM" if "Air Mail," and "C.O.D." and amount due sender if registered C.O.D. mail.

Total number of pieces listed by sender: [illegible] Flight

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NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
914644	Bankhaus Otto Wieckhorst Hamburg Germany	42	95	-	-	NV	-	Air
645	B/A Beirut Br 6154 POB 3965 Beirut Lebanon	42	95	-	-	1	-	"
646	Banco Popular Del Peru La Paz Bolivia	153	95	-	-	1	-	"
647	B/A Vienna Br Vienna Austria	126	95	-	-	1	-	"
648	Banco De Santa Cruz Cochabamba Bol	259	95	-	-	1	-	"
649	Kjobenhavns Handelsbank Charlottelund Den.	21	95	-	-	1	-	"
650	Banco Fiduciario De Pan POB 774 Panama R.P.	17	95	-	-	-	-	"
651	Carlsbad National Bk Carlsbad New Mex	11	95	-	-	-	-	"
652	Bk of Montreal Kelowna B C Canada	11	95	-	-	-	-	"
653	Effecten Bk. Wertheim Frankfurt Germany	21	95	-	-	-	-	"
654	Banque Pour Le Develop. Chiasso Switz	21	95	-	-	-	-	"
655	Swiss Bk Corp Zurich Switz.	21	95	-	-	-	-	"
656	Trade Develop. Bk Geneva Switz	21	95	-	-	-	-	"
657	Banco Nacional De Mex Mex D F Mexico	11	95	-	-	-	-	"
658	Same Same Same Same	11	95	-	-	-	-	"
659	Deak Nat'l Bk Fleishmanns N.Y	08	95	-	-	-	-	"
660	Mr Jerry Domsto 230 E 63rd St NYC	16	95	-	-	-	-	"
661	Muslim Comm Bank Ltd Karachi Pakis	184	95	-	-	-	-	"

NEW YORK NY REGISTRY DIV DEC 1973

NEW YORK NY APR 1974 STA

55 on 3

2641

TOTAL NO. OF PIECES RECEIVED BY SENDER	TOTAL NO. OF PIECES REC'D AT P. O.	POSTMASTER, PER (Name of receiving employee)	"Show under "Remarks" class postage paid if other than first or if International"
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Form 3877, Mar. 1971

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

U.S. GOVERNMENT PRINTING OFFICE

APPLICATION FOR REGISTRATION AND CERTIFICATE OF DECLARED VALUE OF MATTER SUBJECT TO POSTAL SURCHARGE

(No collection of surcharge is required on international registered mail)

Hornblower & Weeks-Hemphill Noyes, Inc.
120 Wall Street, New York, New York 10005 hereby applies for the registration of the articles described below and
(NAME OF SENDER)

certifies that the amounts of the declared values set forth on the sheet are the full values of the articles listed or the known or estimated cost of duplication in the case of non-negotiable securities.

4/5/73 M.Romey Rdgistarad Mail

(1) NUMBER OF ARTICLE	(2) NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	(3) POSTAGE (EXCLUSIVE OF OTHER CHARGES OR FEES)	(4) REGISTRY FEE	(5) FEE PAID FOR RETURN RECEIPT	(6) DELIVERY RESTRICTED—FEE PAID	(7) FULL VALUE OR COST OF DUPLICATION OF NON-NEGOTIABLE SECURITIES	(8) SURCHARGE ON ENTIRE CONTENTS OF ARTICLE	(9) REMARKS
✓ 926296	Sidney A.Kirshon,418 SouthRoad Poughkeepsie NY				✓	N.M.		
✓ 926297	Von Der Abe Foundation,POB3338,Tarzal Ann LA CA90051				✓	"		
✓ 926298	Central Bank & Trust Co POB 5548 Tr Dept Denver Co				✓	"		
✓ 926299	Miss Mary G. Smith,16 Lamberson St.ValleyStream,NY				✓	"		
— 926300	Mrs.Beatrice Pashman,35 E.35th St. NY NY 10016				✓	"		
✓ 925901	Mr.Harold C.Davis,500 W.93rd St.Indpls Indiana 46260				✓	"		
✓ 925902	Walter & Betty J.Garstka,312 W.Northland Peoria,Il				✓	"		
✓ 925903	Ms Etta Mae Lorengen,3713 Ba gor St.NW SE.WASH DC				✓	"		
✓ 925904	Marvin G.&Norma D.Piccony 1414 N 12th Pekin Il61554				✓	"		
✓ 925905	Wm.M.Bickers,MD,Agcy A/C 1st March BankRichmond,Va.				✓	"		
✓ 925906	Rudolph P.Gollomb,BocaSol Apts.Nbr144,Bldg.NRoom				✓	"		
✓ 925907	Boton Fla 23432 John S.&Margaret Torney 1381 SanCarlos,Arcadia,Ca.				✓	"		
✓ 925908	Mason E.Borgman,3940 E.Timrod Apt.122 Tucson,Az.85711				✓	"		
✓ 925909	Robert W.Huebner,907 Royal Pekin,Ill.61554				✓	"		
✓ 925910	Edith F.Perriday,559 W.Westfield Blfd.Apt.21IndplsInd				✓	"		
✓ 925911	C.G.Andrus,Dun West,South Carolina 29639				✓	"		
— 925912	Joseph Nagyvaradi,427 E.82nd St. NY NY				✓	"		
✓ 925913	Mrs.Grace Dorf.cust.7061 N.Kedzie,Chgo Il1160645				✓	"		
— 925914	Mr. Theodore R.Pecoosin,165 W.46th St. NY NY 10036				✓	"		
✓ 925915	Simsbury BkTr Co 760 Hopmeadow St.Simsbury Conn				✓	"		
✓ 925916	Mr.Abe & Mrs.Selma Benjamin,1423 No.Hood Av Roselle,NJ				✓	"		
✓ 925917	Comwlth Natl Bk 28 Penn Sq. Lancaster,Pa 17604				✓	"		
✓ 925918	Richard & Mrs.Margaret T.Bricker,324 Ruby St.Lancaster Penna 17601				✓	"		
✓ 925919	Mr.Warren G.Stacey,S.Annette Stacey 5 Laral Avenue Wilbraham,Mass.01095				✓	"		

TWENTY FOUR (24)

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26428

R.M. 88A

DEFT. EXHIBITS A-D-E- E1, 2, 3, 5 & E7, F,H,I & J.

United States Department of Justice

2643a

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER
JJK:vk

73-1865

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK, N. Y. 10007

September 10, 1973

Jay Gold, Esq.
36 West 44th Street
New York, New York 10036

Re: United States v. Thomas Joseph Carroll, et al., 73 Cr. 606

Dear Mr. Gold:

Your client, Chester Crawford, has indicated a desire to plead guilty to second degree murder, a crime punishable by a sentence of up to life imprisonment, in satisfaction of the indictment in the above entitled matter. The Government will agree to a severance and will accept such a plea following the trial of the co-defendants provided Chester Crawford testifies fully and truthfully as a Government witness at trial.

9-13-73

C.C. 9/13/73

As is our practice, we will consent to the dismissal of the open counts remaining in the indictment at the time of sentence and make known to the sentencing judge the extent of the cooperation offered and given by your client.

It should be clearly understood, however, that we consider the offense charged to be most serious and deserving of a very substantial term of imprisonment. We will take this position at the time of sentence.

V. McCloskey

DEFENDANT'S EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
A

JJK:vk
73-1365

Jay Gold, Esq. -2-

If your client desires to plead guilty to Second Degree Murder with a full understanding of the Government's position as set forth above, kindly sign and have your client sign as indicated below.

Very truly yours,

PAUL J. CURRAN
United States Attorney

By: John J. Kenney
JOHN J. KENNEY
Assistant United States Attorney
Telephone: (212) 264-6425

Chester Crawford 9-13-73
CHESTER CRAWFORD
Defendant

Jay Gold Sept 13, 1973
JAY GOLD
Attorney for the Defendant
Chester Crawford

2645a

United States Department of Justice

ADDRESS REPLY TO "UNITED STATES ATTORNEY" AND REFER TO INITIALS AND NUMBER

JJK:vk

73-1865

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK, N. Y. 10007

September 10, 1973

Jay Gold, Esq.
36 West 44th Street
New York, New York 10036

Re: United States v. Thomas Joseph Carroll, et al., 73 Cr. 606

Dear Mr. Gold:

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As is our practice, we will consent to the dismissal of the open counts remaining in the indictment at the time of sentence and make known to the sentencing judge the extent of the cooperation offered and given by your client.

It should be clearly understood, however, that we consider the offense charged to be most serious and deserving of a very substantial term of imprisonment. We will take this position at the time of sentence.

McCloskey
A
in avid

JJK:vk
73-1865

If your client desires to plead guilty to Second Degree Murder with a full understanding of the Government's position as set forth above, kindly sign and have your client sign as indicated below.

Very truly yours,

PAUL J. CURRAN
United States Attorney

By: John J. Kenney
JOHN J. KENNEY
Assistant United States Attorney
Telephone: (212) 264-6425

Chester Crawford 9-13-73
CHESTER CRAWFORD
Defendant

Jay Gold Sept 13, 1973
JAY GOLD
Attorney for the Defendant
Chester Crawford

United States Department of Justice

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK, N. Y. 10007

ADDRESS REPLY TO "UNITED STATES ATTORNEY" AND REFER TO INITIALS AND NUMBER

JJK:ew
73-1865

DEFENDANT'S EXHIBIT
U.S. DIST. COURT
S.D. OF N.Y.
D

August 28, 1973

Murray Mogel, Esq.
Legal Aid Society
15 Park Row
New York, New York

Re: United States v. Thomas Joseph Carroll, et al.; 73 Cr. 606

Dear Mr. Mogel:

Your client, Terrence Dewey Myers, has indicated a desire to plead guilty to second degree murder, a crime punishable by a sentence of up to life imprisonment, in satisfaction of the indictment in the above entitled matter. The Government will agree to a severance and will accept such a plea following the trial of the co-defendants provided Myers testifies fully and truthfully as a Government witness at trial.

As is our practice, we will consent to the dismissal of the open counts remaining in the indictment at the time of sentence and make known to the sentencing judge the extent of the cooperation offered and given by your client.

It should be clearly understood, however, that we consider the offense charged to be most serious and deserving of a very substantial term of imprisonment. We will take this position at the time of sentence.

If your client desires to plead guilty to Second Degree Murder with a full understanding of the Government's position as set forth above, kindly sign and have your

T.M. 8/30/73
M.M. 8/30/73

JJK:ew
73-1865

client sign as indicated below.

Very truly yours,

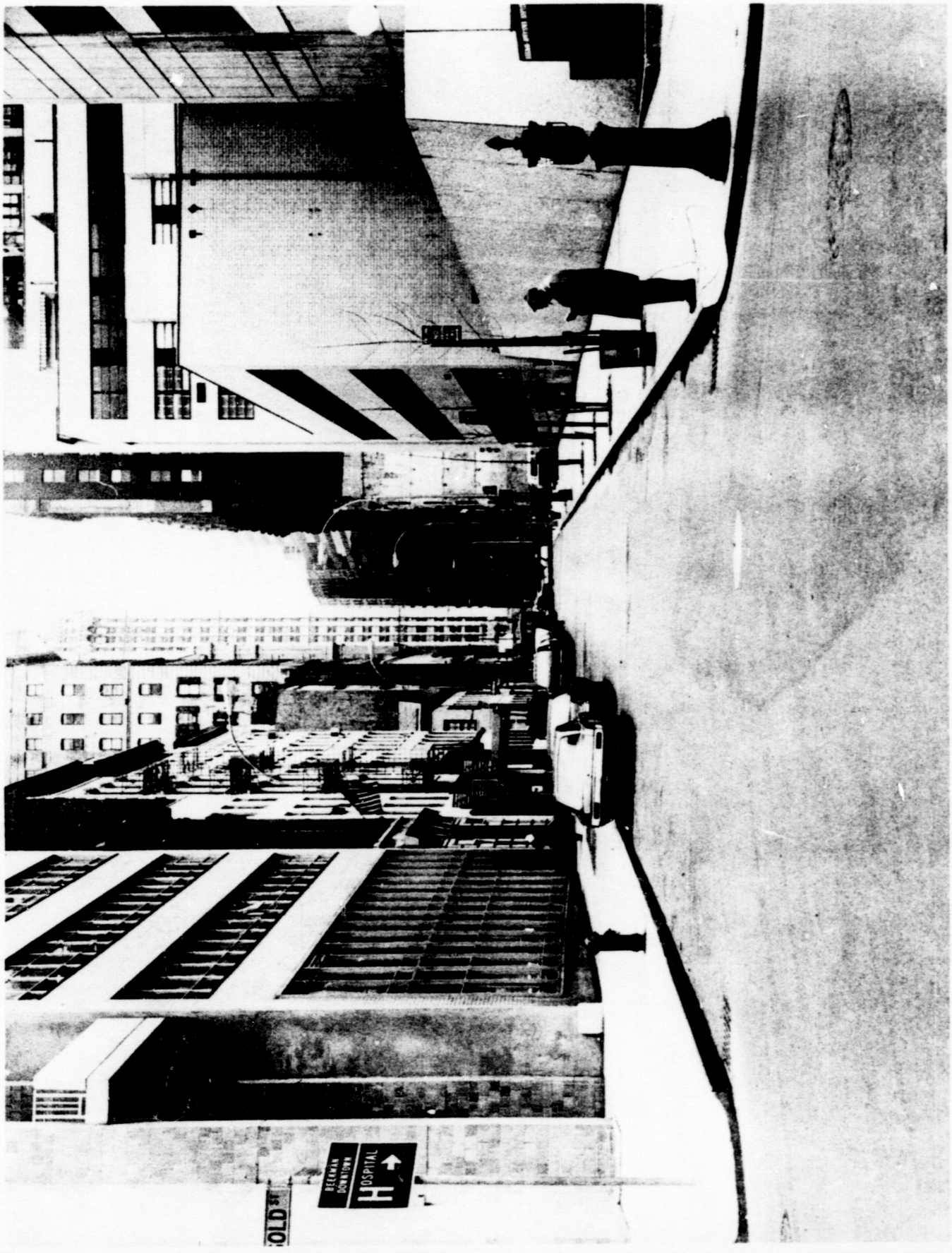
PAUL J. CURRAN
United States Attorney

By: John J. Kenney
JOHN J. KENNEY
Assistant United States Attorney

Terrence Dewey Myers 8/30/73
TERRENCE DEWEY MYERS
Defendant

Murray Mogel 8/30/73
MURRAY MOGEL
Attorney for the Defendant
Myers

EXHIBIT E


HOSPITAL
DOWNTOWN
OLD ST

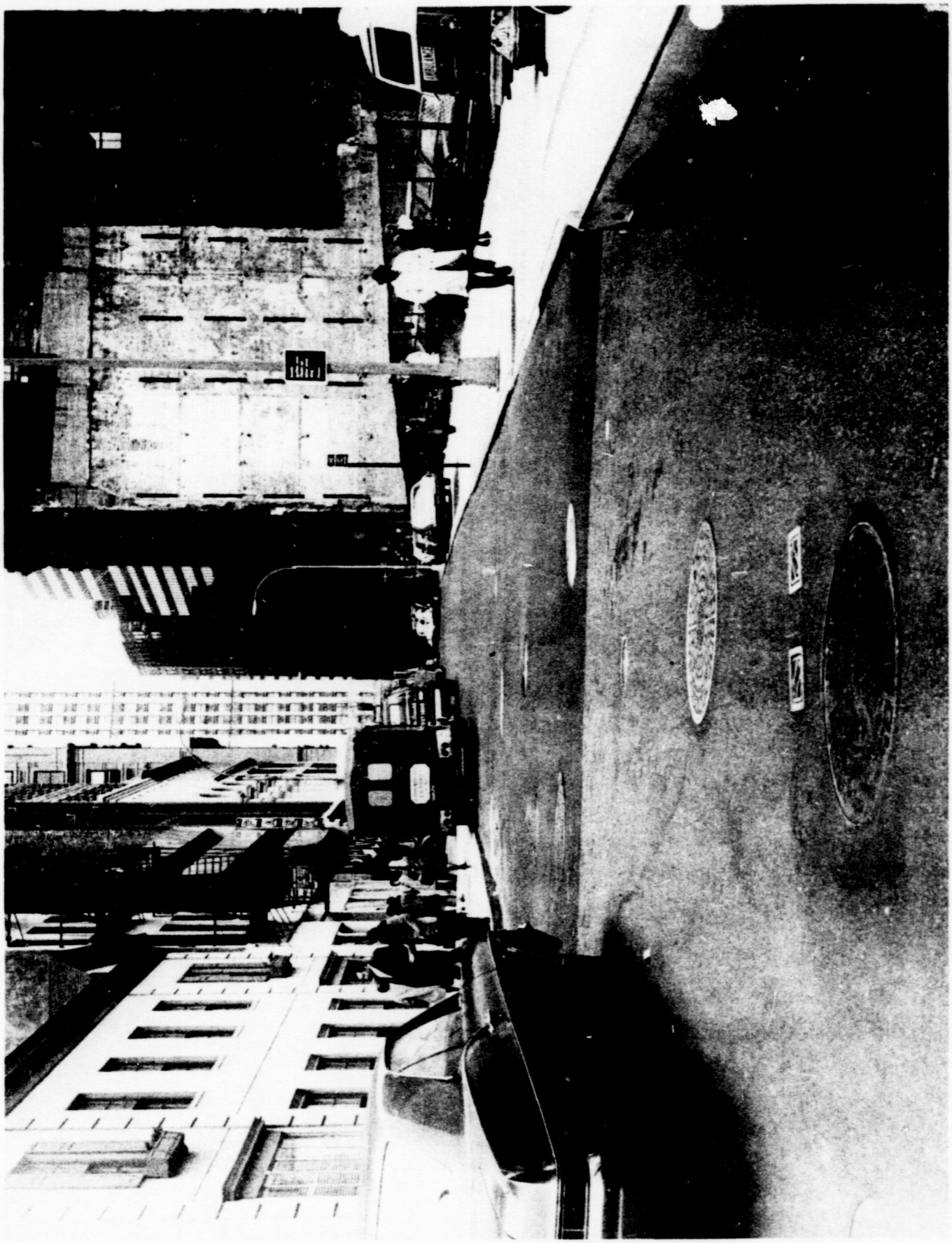


EXHIBIT E - 3

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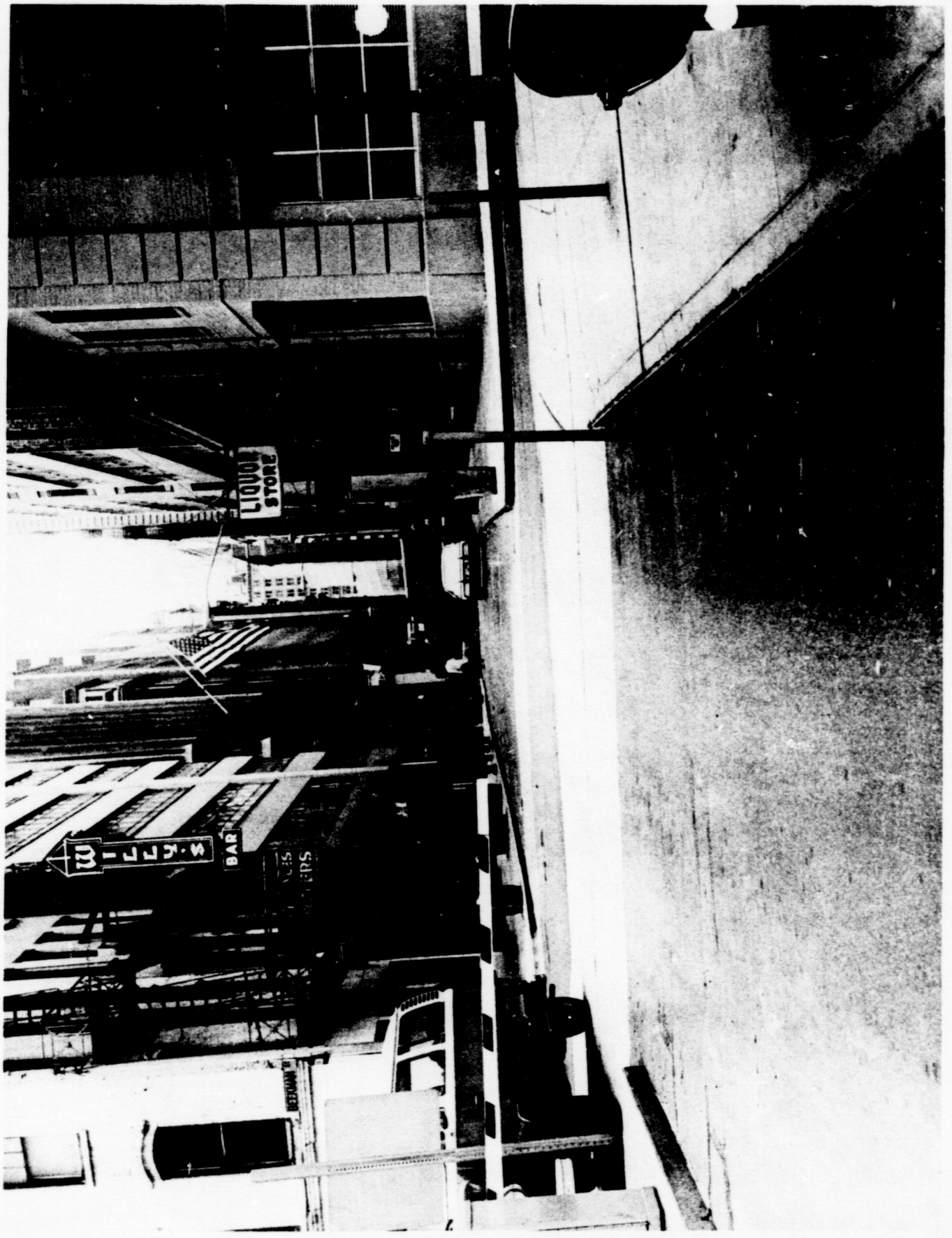
EXHIBIT E - 4

EXHIBIT E - 5

2654a



Helpful Hints

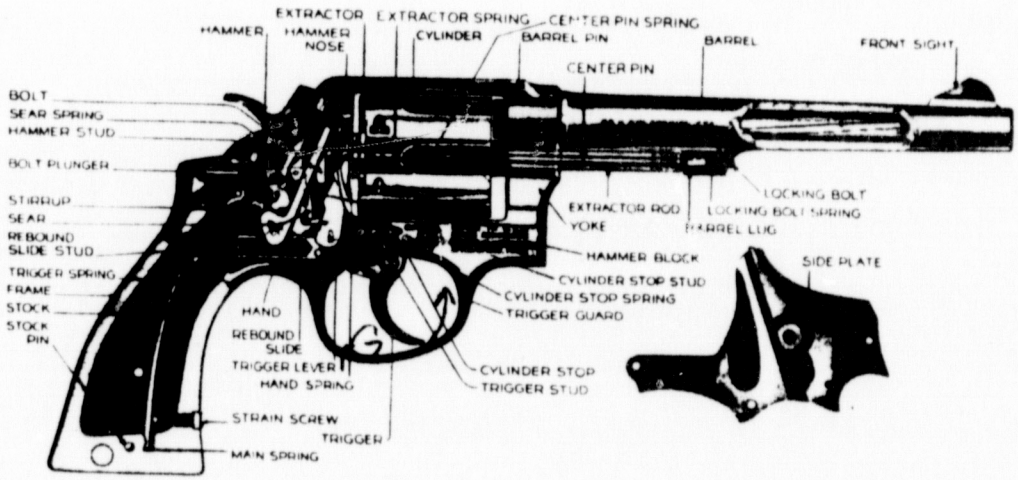
for the greater effectiveness and enjoyment of your

Smith & Wesson Revolver

INSTRUCTIONS FOR OPERATION

1. Push thumb piece forward, swing out cylinder and load.
2. Close cylinder and take position on firing line.

3. STAND in a relaxed and comfortable position, feet well apart. The arm when raised should line naturally with the target. If it does not, shift the feet a bit.



CARROLL

DEFENDANT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
F

McCloskey

DEFENDANT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
H

STATE OF NEW JERSEY

Rose

3346

2656a

Docket No. _____

Recognizance

(R.1:13-3 (b), R.3:26-4 (a), R.3:26-5)
☒ Bond ☐ Own
(Check Applicable)

Defendant.

State of New Jersey
County of Burlington ss.

We, the undersigned, jointly, and severally acknowledge ourselves to be indebted to the State of New Jersey in the sum of Five Hundred ..... Dollars ($500.00) to be made and levied of our and each of our goods, moneys, chattels and real estate if default be made in the following Conconditions, to wit:

The Conditions of this Recognizance are that the Defendant shall personally be and appear at all stages of the proceedings and until the final determination of the cause and that the Defendant and Surely agree to immediately notify the Court of change of address and if the Defendant and Surety comply with these Conditions, then this Recognizance is to be void.

We, the undersigned, principals and sureties, do hereby acknowledge that by entering into this Recognizance that they submit themselves to the jurisdiction of this Court; that they irrevocably appoint the Clerk of the Court having jurisdiction of this cause as his agent upon whom papers affecting each of their liability on the Recognizance may be served; that each of them waive a Jury Trial; that the liability of the Principal and Surety may be enforced by Motion in this action, if one is pending, without the necessity of an independent action; and that the Motion may be served on the Principal and Surety by mailing it by ordinary mail to the Clerk of the Court, who shall forthwith mail a copy thereof by ordinary mail to the Princial and Surety at the address stated herein.

The said Principal and Surety further acknowledge that Execution may issue thereon or payment secured as provided by the Rules Governing the Courts of the State of New Jersey or by the other laws of the State of New Jersey.

This Recognizance is signed, sealed and delivered this 21 day of March 19 73

_____ (L.S.)
Defendant, as Principal

(Address of Defendant)

ALLEGHENY MUTUAL
CASUALTY COMPANY
Tom Cotten
BY _____ (L.S.)
Surety ATTORNEY IN FACT

(Address of Surety)

If Corporate Surety affix Corporate Seal and Power of Attorney.

APPROVED AND ADMITTED TO BAIL

By _____
(Authorized Agent)

_____
(Judge) (Clerk) (Other Authority)

Book Z Page 147

McCLOSKEY
DEFENDANT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.

2657a

INVESTIGATION REPORT

2 CODE	3 UCR CODE	4 STATION CASE NUMBER	5 DIVISION CASE NUMBER
D02		73-144	D02731hh

7 NJS: 2A:151-41a

8 Victim: State of New Jersey — 9 RACE — 10 SEX — 11 AGE

12 TIME	14 D-WK	15 MTH	16 DAY	17 YEAR
6:15 AM	3	3	21	73

18 HOME ADDRESS · CITY · STATE — PHONE

MP 35 NB, N.J. Turnpike

20 EMPLOYER · SCHOOL — BUSINESS PHONE

21 MUNICIPALITY	22 COUNTY	23 CODE
Mt. Laurel Twsp.	Burlington	0325

24 PERSON REPORTING CRIME: Tpr. K. Parker 1982 — 25 DATE AND TIME: 3-21-73 6:15 AM

26 TYPE OF PREMISES	27 CODE	28 WEAPONS · TOOLS	29 CODE
Highway	070	N/A	

30 ADDRESS — PHONE: NJSP Troop D, Moorestown, NJ 609-235-1000

31 HOW ATTACKED: N/A

32 VEHICLE	33 YEAR	34 MAKE	35 BODY TYPE	36 COLOR	37 REG NUMBER & STATE	38 SERIAL NUMBER OR IDENTIFICATION
KNOWN	66	Pont.	4 Dr. H/T	Blk/Blue	842-075. (D.C.)	262696R210017

VALUE STOLEN PROP	39 CURRENCY	40 JEWELRY	41 FURS	42 CLOTHING	43 AUTO ACCESS.	
45 TOTAL VALUE STOLEN	46 TOTAL VALUE RECOVERED	47 TELETYPE ALARM	48 WEATHER	49 STATUS CRIME		
		1109 F 13	Clear	CI. Arrest		

LIST ACCUSED · LIST AND IDENTIFY ADDITIONAL VICTIMS · DESCRIBE PERPETRATORS OR SUSPECTS · ACTION TAKEN INCLUDE FINDINGS AND OBSERVATIONS OF INVESTIGATOR · PHYSICAL EVIDENCE FOUND · WHERE · BY WHOM · DISPOSITION AND TECHNICAL SERVICES PERFORMED · INTERVIEW OF VICTIMS · WITNESSES · PERSONS CONTACTED · ACCUSED SUSPECTS · LIST · DESCRIBE STOLEN PROPERTY · VALUE · COURT ACTION · ATTACH STATEMENTS

51 NUMBER OF ACCUSED 1 — 52 ADULT 1 — 53 JUVENILE — 54 RACE — 55 SEX — 56 DATE OF BIRTH

GEOFFREY MATHEWS MANN, 1107-46th St. S.E. Washington, D.C. N M 11-10-46

Tpr. Parker stopped the above listed known vehicle at the above time and location on the N.J. Turnpike for M.V. Violation (Warning # 444877 -left tail light out). Vehicle owned and operated by the above listed subject GEOFFREY MATHEWS MANN. As Tpr. approached vehicle the barrel of .32 cal. revolver make S & W Ser. # 182215 was observed in plain view from inside lining of front seat arm rest. Check revealed weapon to be fully loaded. Subject placed under arrested and evidence confiscated to be forwarded to the NJSP SBI Lab Firearms Sect. W. Trenton, NJ for examination. Further check developed presence of one bullet on the front seat , 24 live rounds in a box under R/F seat and one live round in the left rear pants pocket of the accused. Subject advised of his rights and acknowledged that he understood and stated that he bought the weapon on 9th St. in Washington, D.C. in January of 1973 from an unknown male for $35. and carries this weapon for protection.

Subject admitted to a prior arrest in February of 1969 for Attempted raobbery in Prince George County, Maryland and was sentenced to 3 years and served 14 mos. and was placed on parole.

NCIC - subject/vehicle/weapon....negative.

Subject released on $500. bail for hearing in Mt. Laurel Twsp. Mun. Crt. on 5-1-73

RECEIVED
APR 5 1973

57 TYPE NAME: DSG. K.A. Turse — 58 BADGE NUMBER: 1130

Signature

PAGE 1 PAGES 1 — 59 DATE OF REPORT: 3-21-73

61 STATION: BUR — 62 MOD — COUNTY — 63 DIVISION

STATE POLICE

United States Department of Justice

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK, N. Y. 10007

ADDRESS REPLY TO "UNITED STATES ATTORNEY" AND REFER TO INITIALS AND NUMBER

JJK:ew

73-1865

August 28, 1973

McCLOSKEY
DEFENDANT'S
EXHIBIT
U. S. DIST. COURT
S. D. OF N. Y.
J

Robert Mitchell, Esq.
51 Chambers Street
New York, New York

Re: United States v. Thomas Joseph Carroll, et al.; 73 Cr. 606

Dear Mr. Mitchell:

Your client, Geoffrey Matthews Mann has indicated a desire to plead guilty to second degree murder, a crime punishable by a sentence of up to life imprisonment, in satisfaction of the indictment in the above entitled matter. The Government will agree to a severance and will accept such a plea following the trial of the co-defendants provided Mann testifies fully and truthfully as a Government witness at trial.

As is our practice, we will consent to the dismissal of the open counts remaining in the indictment at the time of sentence and make known to the sentencing judge the extent of the cooperation offered and given by your client.

It should be clearly understood, however, that we consider the offense charged to be most serious and deserving of a very substantial term of imprisonment. We will take this position at the time of sentence.

If your client desires to plead guilty to Second Degree Murder with a full understanding of the Government's position as set forth above, kindly sign and have your

JJK:ew
73-1865

client sign as indicated below.

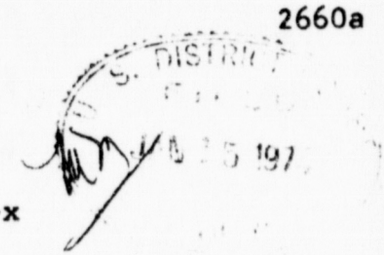
Very truly yours,

PAUL J. CURRAN
United States Attorney

By John J. Kenney
JOHN J. KENNEY
Assistant United States Attorney

Geoffrey Matthews Mann
GEOFFREY MATTHEWS MANN
Defendant

Robert Mitchell
ROBERT MITCHELL
Attorney for the Defendant
Mann



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

----------x

UNITED STATES OF AMERICA, :

vs. :

73 Cr. 583

VINCENT MC CLUSKEY, :

Defendant. :

----------x

Before:

HON. CHARLES METZNER,

District Judge

New York, N. Y.
June 19, 1973 - 4:00 p.m.

APPEARANCES:

PAUL CURRAN, Esq.,
United States Attorney for the Southern District of New York
BY: JOHN J. KENNEY, Esq.,
Assistant United States Attorney

DONALD HOPPER, Esq.,
Attorney for Defendant

- - -

#17

THE COURT: Mr. Hopper?

MR. HOPPER: Yes, your Honor.

THE COURT: You represent the defendant Mc Cluskey?

MR. HOPPER: Your Honor, I have not filed a notice of appearance in his behalf. I have talked with his wife a number of times. At her request I went to see him at West Street this morning. I discussed the case with him. I think -- he is not prepared at this time to make a commitment and perhaps I am not to make one to him. I did tell him that in his behalf I would make a bail application.

With your Honor's leave I would like to appear for him to that extent today.

THE COURT: Just a second.

You may proceed, Mr. Hopper.

MR. HOPPER: Yes, your Honor. I am advised by the defendant Mc Cluskey that he is 36 years of age. He was born and raised in Manhattan on the West Side. Following his marriage he moved to Westwood, New Jersey, where he now lives. He lives there in his own home. He's got four children. He's never been convicted of any crime or offense as he tells me with the possible exception of impaired driving of a motor vehicle. He wasn't quite sure what the offense was but his privilege to drive was suspended. He's never been convicted otherwise of any crime.

I am aware of the gravity of the offense but I submit to your Honor that the current bail which I understand is $200,000 is really tantamount to no bail at all.

I am not at all familiar with the facts as to in what way the prosecution claims the defendant is implicated. All I know at this point is that the defendant assures me that he wants to stand trial. I think that from what his indications to me are that he will do so. I don't say the bail should not be substantial. The defendant does own a home. I think bail in the magnitude of thirty-five or forty thousand dollars he could meet. And I would submit that that should be sufficient substantial bail to offset any risk of this defendant not appearing. It represents everything he has and everything his family has. I would add that he does have four children and a wife to consider.

THE COURT: Mr. Kenney.

MR. KENNEY: The government opposes the application to reduce bail, your Honor. Bail was set by Magistrate Goettel in the amount of $200,000 at the time of Mr. Mc Cluskey's arrest which was June 11.

First, your Honor, I'd like to address myself to the seriousness of the offense. Count 2 in the indictment charges first degree murder which until Furman vs. Georgia was a capital offense. At best if convicted under that

section Mr. Mc Cluskey would be sentenced to life imprisonment under that statute leaving no discretion to the Court.

We think that theseriousness of that offense, although it is no longer punished by capital punishment or death, should be considered under Section 3148 of Title 18 relating to capital offenses and that the Court should set bail in such an offense unless the Judge has reason to believe that no one or more conditions of the release which is set forth in 3146 of the Bail Reform Act would assure his presence.

I think a man like this would seriously consider not returning. That is one of the reasons we think that a $200,000 bail is reasonable.

Mr. Mc Cluskey, your Honor, the government is informed has been an elevator construction worker but for several months has been unemployed and his employment is spasmodic at best. While he has a wife and four children who live in Westwood, New Jersey, he has a girl friend who lives in the Bronx in which place he spends a great deal of time. In fact, it was through that address that we were able to locate Mr. Mc Cluskey. We think that the bail under the circumstances is reasonable, and oppose the application to reduce.

MR. HOPPER: May I make a further statement, if I

may, just on two things?

One, I don't disagree with several things that Mr. Kenney said but if there were no risk at all of the defendant returning then I wouldn't be asking your Honor for reduction of bail. I'd be asking your Honor to parole the defendant. I think there must be some risk adn therefore your Honor should fix a substantial bail. I don't know what the evidence is against this defendant as to whether or not he would throw away everything to flee this jurisdiction. I also am informed I don't know whether this is correct -- that one other defendant in this case has bail of $35,000. I say I don't know that that is accurate. This is what was told to me.

And if so, then, I would submit that that might be a reasonable bail for this defendant who has no prior conviction for any crime and has life-long roots in this community, and again we are only in the accusatory stage. $200,000 bail is simply an inference that the defendant stands convicted today.

MR. KENNEY: The only defendant in the case who is held in that bail is Paul Crawford. Myers and Mann two defendants in the case, are held at no bail, which was set after this arrest in Washington and was continued by Judge Wyatt after their appearance on Monday of this week.

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As to the other defendants, Chester Crawford is held in $250,000 bail, your Honor, and the defendant Carroll is held in $200,000 bail. Paul Crawford, a known drug addict in Washington played the part of a messenger in this case and is charged in the indictment. The grand jury apparently felt that there was criminal liability. Mr. Mc Cluskey on the other hand, is one of the procurers, as the government's case will show, of the two men who performed the robbery and killing in this case so that they certainly couldn't be considered in the same light with the evidence against them, and I think there is no comparison in setting bail on the two men.

THE COURT: The application to reduce bail is denied. I will file a memorandum.

Who represents Chester Crawford, Michael Direnzo?

MR. KENNEY: I believe so, your Honor. We notified Mr. Direnzo's office on Friday that there would be an arraignment on Monday and no one from the office appeared. However, Mr. Direnzo called me Monday afternoon and told me that he represented Mr. Carroll and that he thought that he might represent Chester Crawford. No notice of appearance has been filed as yet.

THE COURT: Rippy, what is his situation?

MR. KENNEY: He is serving a sentence in the

Lawford Correctional Institution in Washington and we submitted a writ to the Court to have him appear before your Honor on Monday, June 25 at 10:00 in this courtroom to plead to this indictment and have bail set, although I guess it would just be necessary to have bail set because mandatory pleas of not guilty were entered by Judge Wyatt on Monday.

THE COURT: What is he in jail for in Washington?

MR. KENNEY: I am uncertain as to that. I know he has been sentenced.

THE COURT: Does he have an attorney?

MR. KENNEY: Not at this time, your Honor.

THE COURT: Therefore as of now we need a lawyer for Paul Crawford?

MR. KENNEY: That iscorrect and, Rippy when he appears.

THE COURT: All right.

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UNITED STATES OF AMERICA

vs. 73 CR. 606 CHK

THOMAS JOSEPH CARROLL, ET AL

DISTRICT COURT
FILED
JAN 10 1974
S. D. OF N. Y.

Before;

Hon. Charles M. Metzner,

District Judge

New York, N. Y.
June 25, 1973 - 9.45 a.m.

Present:

Mr. Viviani

Mr. Direnzo
Mr. Hopper
Mr. Gold
Mr. Klempner
Mr. Panzer
Mr. Anolik
Mr. Mogel

- - -

THE CLERK: United States vs. Thomas Joseph Carroll.

MR. DIRENZO: Ready.

MR. HOPPER: Ready.

MR. GOLD: Ready.

Mr. KLEMPNER: Ready.

MR. PANZER: Ready.

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MR. ANOLIK: Your Honor, I am supposed to start a case at ten o'clock before Judge Lasker, a multi-defendant case. This is an assigned case for me here. I just wonder if there is any way I could get a message to Judge Lasker.

THE COURT: We are going to be out of here in time.

MR. ANOLIK: Okay. Fine.

MR. MOGEL: Ready.

THE COURT: The reason I asked you gentlemen to come in today is: (a) to fix up a motion scheduling date and fix a date for trial, and (b) to have the defendants plead to a superseding indictment.

MR. Viviani, have you served all counsel with a copy of the superseding indictment?

MR. VIVIANI: I have just now given all counsel a copy of 73 Cr. 606, which does supersede the original indictment. I would like to inform your Honor that I am filling in for Mr. Kenny. It is my understanding that there was some mixup in getting the defendants over here today and I was informed by the Marshal's office that they would be here late.

In view of the fact that the defendants have entered not guilty pleas on the original indictment, to

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expedite matters, if counsel would waive their presence now and merely enter pleas of not guilty for them, we can just get on to setting motion dates and timing schedule.

Is that agreeable to counsel?

MR. ANOLIK: No objection.

MR. MOGEL: No objection.

MR. GOLD: No objection.

THE COURT: All right. Then not guilty pleas to 73 Criminal 606 will be entered by counsel on the representation to counsel that the superseding indictment, if they haven't had a chance to read it yet, is merely some changes of not great substance. One of the defendants pled to the superseding indictment.

MR. VIVIANI: Mr. Paul Crawford, I believe, entered a plea.

THE COURT: Mr. Klempner's client.

MR. KLEMPNER: That's correct.

THE COURT: And he pled to the superseding indictment. I think at that time Mr. Kenny pointed out to you the differences between the original indictment and the superseding indictment; is that correct?

MR. KLEMPNER: That is correct. I think there are only three or four minor changes.

THE COURT: Have you pointed out to counsel the

changes in the superseding indictment?

MR. VIVIANI: Your Honor, I unfortunately have not. I will study both and inform them over the phone, if necessary. I am sure that they will have sufficient time themselves to check into both, because I believe they have both copies of the indictments.

THE COURT: All right.

MR. ANOLIK: I didn't get the original indictment.

MR. VIVIANI: I will furnish it to you.

MR. ANOLIK: I was just assigned, your Honor.

THE COURT: All right. Now, the question of time for motions and trial. These defendants, I understand, are all in jail.

MR. VIVIANI: That's correct, your Honor.

THE COURT: Jail cases. How about a trial date of September 11th? Any objection?

MR. PANZER: Your Honor, that would present a problem for me. I can start it on the 4th of September.

THE COURT: I can't. The Judicial Conference is the 7th and 8th, as you know.

MR. PANZER: I already have a trial set down for that week.

THE COURT: Of the 10th?

MR. PANZER: Yes. I am booked up through the rest of September. That's my problem. I can try it the first week in October.

THE COURT: Too long. I will have to get another counsel, Mr. Panzer.

MR. PANZER: I am sorry.

THE COURT: Whom do you represent?

MR. PANZER: Mr. Rippy.

THE COURT: All right. I'll get another counsel for Mr. Rippy, then.

September 11th?

MR. ANOLIK: How long do you project the trial? Any idea?

THE COURT: All I know is that the Government said three days for its case.

MR. ANOLIK: That's okay. No problem with me. I have something two weeks later, which I don't feel would present a problem.

THE COURT: Mr. Gold?

MR. GOLD: I have no problem.

THE COURT: Mr. Klempner?

MR. KLEMPNER: No problem.

THE COURT: Mr. Mogel?

MR. MOGEL: No problem.

THE COURT: Mr. Direnzo?

MR. DIRENZO: I think that is convenient, your Honor.

THE COURT: Mr. Hopper?

MR. HOPPER: All right.

THE COURT: Mr. Anolik, you've already answered.

MR. ANOLIK: Yes.

THE COURT: All right. To the extent that counsel is informed as to this case, would you say the case would take more than two weeks to try?

MR. DIRENZO: It is difficult to say at this time, if your Honor please. I shouldn't think it would take more than two weeks.

MR. VIVIANI: I don't think it will. I am somewhat familiar with it. I don't think it would last more than six trial days.

THE COURT: I'll set two weeks aside anyhow. But you are going to have the Jewish holidays coming up on the 20th and 21st, I think. But if we start on the 11th, that means we ought to be through before that time.

All right. September 11th. All motions July 17th. That is roughly three weeks from now.

MR. ANOLIK: I wonder if we could have a little bit more time. I may be out of the country for about a

week.

THE COURT: July 23rd?

MR. ANOLIK: That would be much better.

THE COURT: July 25th?

MR. ANOLIK: That would be fine.

MR. GOLD: May I have the 27th? I am going to be out of the country for theweek commencing July 12th through the 19th and I would like to do these things when I come home.

THE COURT: The 27th?

MR. GOLD: Could I?

THE COURT: July 27th for all motions.

MR. GOLD: Thank you.

THE COURT: There will be no argument on them unless after reading the papers I think there has to be.

MR. VIVIANI: How long will the Government have to respond? Ten days, your Honor?

THE COURT: They are returnable -- I see.

MR. GOLD: I would like to file the 27th.

THE COURT: File the 27th. Then we'll have to give you five days to answer. How about the morning of August 2nd?

MR. VIVIANI: That sounds reasonable.

THE COURT: By twelve noon.

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MR. DIRENZO: If your Honor please, --

THE COURT: Gentlemen, my clerk says that I am scheduled for this courtroom for September. I think we are going to need a larger courtroom, with seven defendants and seven lawyers. We'll notify you if there is a change. At the present time the trial will proceed on September 11th at 10 a.m. in Room 35.

Does that cover everything?

MR. DIRENZO: Except, your Honor, on the superseding indictment bail hasn't yet been fixed.

MR. VIVIANI: Correct.

MR. DIRENZO: And I wouldat this time, recognizing that bail had been fixed in the sum of, I think, $200,000 for the defendant Carroll --

MR. VIVIANI: Correct.

MR. DIRENZO: -- make an application to fix a bail lower than that. It is bailable, and I feel that the bail is prohibitive as it stands now.

THE COURT: Wait. Before you leave, whom do you represent, Mr. Anolik?

MR. ANOLIK: Mr. Mann.

THE COURT: Is bail fixed for Mr. Mann?

MR. VIVIANI: I believe bail has not been fixed at this point, your Honor.

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THE COURT: Don't you think we ought to fix bail?

MR. ANOLI: It might almost be academic. I am assigned counsel. I don't mind fixing bail.

MR. VIVIANI: I am aware you have some background in the case. I can give you a three minute summation of it.

Basically what happened is that in April of this year the Government alleges the defendants charged in 73 Cr. 606 conspired to rob a mail truck carrying very valuable registered mail, stocks and the like.

THE COURT: Just a second.

Call Judge Lasker and say Mr. Anolik will be up in five minutes. Then he won't have to be so nervous.

MR. ANOLIK: Thank you very much, your Honor.

MR. VIVIANI: On that day the defendant stopped this mail truck in the vicinity of Williams and Beekman Street in lower Manhattan and the defendants Mann and Myers approached the truck with guns drawn.

At the time, there were two men in the car, a fellow by the name of, I believe, Crawford, Crawford Lawrence I think his name was, the driver, and a guard by the name of Hickey. Mr. Myers went to the Hickey side of the car, the truck, and illed Mr. Hickey. Mr. Mann pulled or directed

the driver of the truck, Mr. Crawford Lawrence, to get out of the car, and when Mr. Lawrence tried to escape Mr. Mann shot at him a number of times. There is no dispute as to those facts, your Honor.

In view of that fact alone, I wouldrecommend very high bail insofar as Myers and Mann are concerned. I would suggest to your Honor that $500,000 is most reasonable in view of the nature of the crime.

THE COURT: Well, we'll make it the same as Chester Crawford, $250,000.

MR. ANOLIK: Very well.

MR. VIVIANI: Insofar as the other defendants are concerned, Carroll, Carroll's bail is presently two hundred, McCluskey is also the same, and Crawford is 250.

At the time of the offense, all three of those individuals were actually in the vicinity of the robbery, each having an assigned task. Mr. Carroll, I believe, was driving a van, or Mr. McCluskey was driving the van, one or the other, which stopped in front of the mail truck in which the victim of the homicide and the victim of the assault were. Mr. Chester Crawford was also in the vicinity, in a tail car, along with another tail car, and in that car was either McCluskey or Carroll; I have forgotten which was there.

In addition, Mr. Chester Crawford furnished to the

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two gunmen the guns that were used in the homicide.

In view of the facts surrounding the case, your Honor, I would suggest that bail fixed on the superseded indictment is reasonable and I wouldsuggest that it remain the same.

THE COURT: Mr. Direnzo?

MR. DIRENZO: If your Honor please, I might point out that the defendant Carroll definitely denies complicity in this particular case. I might point out also that the alleged shooter, the actual triggerman, has had his bail fixed in the sum of $250,000.

I don't think they can attribute any specific act connected with the homicide, although it is alleged, to this defendant Carroll, and I submit that since he is entitled to bail, fixing a bail in the sum of $200,000 is tantamount to fixing no bail at all, and I feel that under the circumstances, even if that bail were cut in half, I'm not so sure that we could even raise it. But I think that there should be some distinction between the actual triggerman and the defendant Carroll, who definitely denies complicity in this at all.

Even if bail were fixed in the sum of fifty or a hundred thousand dollars, I'm not so sure that he could make it, but I feel that under the circumstances there should

definitely be a distinction.

THE COURT: The application is denied. Mr. Carroll's bail is fixed as $200,000. Mr. McCluskey's bail is fixed as $200,000. Mr. Crawford's bail is fixed as $250,000.

MR. VIVIANI: Your Honor, that leaves only Mr. Rippy.

THE COURT: He doesn't have counsel.

MR. GOLD: Your Honor, with respect to Chester Crawford, I've just been assigned to him. Of course I have never met him. I have no objection to you fixing the bail you did, with the proviso that after I speak with him I be permitted to make --

THE COURT: Obviously that is granted.

MR. GOLD: Thank you.

MR. VIVIANI: Your Honor, I believe Rippy is here on a writ. I think he may be incarcerated. I am not very sure of that. But I could check into it and bail may be academic in any event.

THE COURT: Mr. Panzer, are you familiar with this at all?

MR. PANZER: Just from my brief conversation with Mr. Kenny. He sort of indicated that he thought Mr. Rippy was incarcerated on another charge. But I haven't

actua-ly spoken to Mr. Rippy.

MR. VIVIANI: Your Honor, could Mr. Panzer be kept in the case until he has time ot talk to Mr. Rippy? I understand he will be here today and perhaps make a bail application, if that is the case.

THE COURT: Do you mind, Mr. Panzer?

MR. PANZER: No, your Honor. I will be glad to do it. I will be here today.

THE COURT: What are we going to do when the defendants show up?

MR. HOPPER: May I be heard on a bail application for the defendant McCluskey? I made one previously on the prior indictment. I would like to repeat generally what I said at that time.

The defendant has never been convicted of a crime. He is married. He has four children. He has spent his entire life in this jurisdiction.

While the nature of the crime is grave, from what I understand at this point of the case that doesn't impose all that much of a risk of his not being present for a trial because he protests his innocence and I know his attitude is that he is goingto be successful on this trial.

I think the risk of him running is minimal and I would ask your Honor to fix a reasonable bail. I do not

think that $200,000 is reasonable. It is untouchable.

THE COURT: The application is denied. The bail will remain as I fixed it.

What are we going to do about the defendants when they show up? Mr. Anolik will not be here, right? You are going on trial.

MR. ANOLIK: Yes, before Judge Lasker.

THE COURT: Why don't you leave now, Mr. Anolik, and would you designate one of the other counsel to represent you?

MR. DIRENZO: I have no objection to it. Frankly, as far as his client is concerned, I have received information that his client has either signed a statement or testified before a grand jury and there might be a conflict.

THE COURT: Mr. Mogel will take it.

MR. DIRENZO: Just so I am not put in an embarassing situation.

THE COURT: Although you have all entered it, I think, if the defendants are being brought over, the plea should be taken in open court.

MR. ANOLIK: I have interviewed my man, your Honor.

THE COURT: All right. Mr. Mogel, would you represent him on the pleading?

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MR. MOGEL: Yes.

THE COURT: When do you expect these defendants to be brought in?

MR. VIVIANI: I was told maybe 10.30 or so. I will check in with the Marshals, and as soon as I find out, I'll let counsel know.

THE COURT: Do you fellows want to sit in the back or go outside for a cigarette?

MR. VIVIANI: Unless, your Honor, if they do come, and if counsel can go down to the lockup and talk to them, tell them what transpired, if there is any objection --

THE COURT: I think they ought to be brought into open court. They may say they waived to be here. It is a serious charge. And while I have complete faith in all counsel, I think it would be better for everything to be put on the record in open court.

So why don't you go outside with counsel and make arrangements as to checking back here? In the meantime I will call the next case.

MR. KLEMPNER: Will your Honor excuse me? My client has pleaded.

THE COURT: Your client has pleaded and the bail has been fixed, and you may leave. Thank you.

MR. VIVIANI: Your Honor, I have an appearance

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Judge Brieant. It will be momentarily. May I be excused?

THE COURT: Yes. But arrange with these counsel outside as to what you are going to do so they know what you are going to do.

(Recess)

(At 10.40 a.m., in open court.)

MR. PANZER: Your Honor, I have conferred with Mr. Rippy and he informs me that he is currently serving a sentence in Washington, D. C. for carrying a dangerous weapon, and that is a two to six year sentence, and he commenced service on that sentence on April 13, 1973.

I've gone over the indictment with Mr. Rippy and he wishes to waive the detailed reading of that indictment and enter a not guilty plea.

THE CLERK: The United States of America vs. Robert E. Rippy, also known as Ripp. Is Mr. Rippy here?

(Pause)

BY THE CLERK:

Q Are you Mr. Rippy?

A Yes, I am.

Q Would you state your full and correct name, sir?

A Robert Ellis Rippy.

Q Thank you, Mr. Rippy.

The gentleman standing on your right, Mr. Panzer,

is he your attorney?

A Yes.

Q Mr. Rippy, do you waive the detailed reading of this indictment and plead not guilty?

A Yes, sir.

BY THE COURT:

Q Mr. Rippy, I had assigned Mr. Panzer to be your lawyer and he informs me that he will be tied up during the month of September and we have set the trial of this case for September 11th. Consequently I will obtain another lawyer to represent you.

Mr. Panzer has indicated to me that you are anxious to go back to Washington because you have an appeal pending from your present charge down there.

A Yes, sir.

Q However, I think you ought to stay here for a couple of days in order to confer with counsel whom I will appoint now for you in this case. I would think that certainly by some time tomorrow counsel will visit you and have preliminary talks with you regarding this matter, and then you'll have to make arrangements with him about being brought back here to continue whatever conferences you think are necessary to have with your attorney to represent you.

Consequently I think that you can't be returned

to Washington until Thursday, and that of course will depend on the conferences you have with the person assigned to represent you. The trial will proceed here on September 11th.

Now, what about the question of bail?

MR. VIVIANI: Your Honor, it is my understanding that Mr. Rippy is presently serving two to six years, so bail is really academic. But, in the event that he should be discharged before the time of trial, the Government would request a remand on this charge in view of the fact that he cannot be in any way hurt, because if he did make bail here it would make no sense because he would just go back on the detainer to commence service of the sentence.

So I would suggest to your Honor that --

THE COURT: I'll direct a remand, with a condition that if at any time in the future Mr. Rippy desires to have bail fixed, I'll fix bail.

MR. VIVIANI: Yes, your Honor.

May I suggest that we adjourn the writ for one week from today? At that time Mr. Rippy will be produced here. Should counsel need more time, he could communicate with me, and if he needs more than a week another adjournment can be had. Should counsel find that he has interviewed him sufficiently, then we could adjourn the writ and have Mr. Rippy returned to Washington, D. C.. Rather than setting

a three to four day limit on it, I think it would be wiser to set a week and hopefully another week.

THE COURT: If we satisy the writ here and Mr. Rippy is returned to Washington --

MR. VIVIANI: Yes.

THE COURT: -- then you would have to issue a new writ.

MR. VIVIANI: Correct.

THE COURT: Does Mr. Rippy have to be brought into court to satisfy a writ?

MR. VIVIANI: No, he does not. That is why I suggested a week.

THE COURT: And if counsel notifies the Court before -- notifies you and you notify me, it could be satisfied then.

MR. VIVIANI: Yes, sir.

THE COURT: All right. We'll do it that way.

MR. PANZER: Might I suggest, whoever the new attorney is going to be, that he contact me? Because I know a little bit of this case and I can give him some background.

THE COURT: Certainly.

Yes, Mr. Rippy.

THE DEFENDANT RIPPY: In about twenty days I think

I am eligible for appeal bond in the district. Would that affect me coming here?

THE COURT: No. If you are given the opportunity to be released on an appeal bond, then I assume that the United States Attorney and your counsel will ask to have a bond fixed here. Because you cannot be released here until bail is fixed. There is no point in fixing bail here now in view of the fact that you are presently serving a sentence.

MR. VIVIANI: The practical effect of it is, if he does make the appeal bond, the remand application will have him brought back up to your Honor to appear before your Honor for the purposes of bail.

THE COURT: I understand.

MR. PANZER: I've explained that to him, your Honor.

THE COURT: July 2.

(Recess)

(11.10 a.m., in open court)

THE CLERK: The attorney for Carroll is here, Mr. Direnzo?

MR. DIRENZO: Yes.

THE CLERK: Is the attorney for McCluskey here?

MR. HOPPER: Donald A. Hopper.

THE CLERK: Who is the other gentleman that is here?

MR. GOLD: For Chester Crawford. I just had a word with Mr. Crawford, who tells me that he has priviate counsel.

THE COURT: Where is Mr. Crawford?

THE DEFENDANT CRAWFORD: Mr. John P. McGilicuddy. But he hasn't filed a notice of appearance yet for the Court.

THE COURT: Have you heard of Mr. McGilicuddy?

MR. VIVIANI: I knew he was in the case when Mr. Crawford was arrested. I was unfamiliar with what transpired when the indictment was handed down. I don't know if Mr. McGilicuddy was here for that.

MR. DIRENZO: I might point out that Mr. McGilicuddy has been representing Mr. Crawford.

THE COURT: That is Mr. Chester Crawford.

MR. DIRENZO: Chester Crawford, your Honor. And there was some question about being retained, and I think that is the only reason why he has not filed a notice of appearance in this case in his behalf.

THE COURT: Mr. Crawford, if he hasn't filed a notice of appearance, I have to assign counsel for you.

THE DEFENDANT CRAWFORD: I think he was going to to it today, your Honor.

THE COURT: Let's proceed as follows: Mr. Gold will represent you until Mr. McGilicuddy files that notice of appearance. And if he doesn't file it today or tomorrow, then Mr. Gold will be assigned to Mr. Crawford.

MR. GOLD: Yes, sir.

THE COURT: Do you want to hold up your designation for me to sign until Wednesday?

MR. GOLD: No. I think, your Honor, the appropriate thing to do would be to assign me, and if he gets private counsel then relieve me.

THE COURT: Well, while I've got you here, since you've been around, I could assign you then for Mr. Rippy.

MR. GOLD: He doesn't have counsel.

THE COURT: Mr. Panzer, you recall, would not be available to start the case. We've already asked Magistrate Jacobs -- we'll work it out somehow, Mr. Gold. But as of now, Mr. Crawford, since the man you say is supposed to represent you is not here and has not filed a notice of appearance, I will appoint Mr. Gold for the purpose of this pleading.

Have you indicated to Mr. Crawford that this is a superseding indictment, Mr. Gold?

MR. GOLD: I will.

THE COURT: Will you do that first?

I gather, Mr. Direnzo, you have done that.

MR. DIRENZO: I have already explained the details to Mr. Carroll. I told him what the precise verbiage was in the superseding indictment that was not in the original indictment.

THE COURT: Mr. Hopper, have you advised Mr. McCluskey?

MR. HOPPER: Yes, I have.

THE COURT: All right. Let's take the plea.

THE CLERK: Mr. Direnzo, do you have an application with respect to the plea for your client?

MR. DIRENZO: I do.

If your Honor please, the defendant desires to enter a plea of not guilty. The indictment has been read and explained to the client and I take it the client does waive the formal reading of the indictment.

Is that correct, Mr. Carroll?

THE DEFENDANT CARROLL: Yes.

BY THE CLERK:

Q In the United States of America vs. Thomas Joseph Carroll, Mr. Carroll, will you please rise?

Mr. Carroll, the gentleman standing on your left, Mr. Direnzo, is he your attorney?

A Yes.

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Q Mr. Carroll, do you waive thedetailed reading of this indictment and plead not guilty?

A Yes, I do.

THE COURT: All right. Mr. Hopper.

MR. HOPPER: Ihave explained the changes in the indictment to the defendant. I would like to inform the Court he would like to enter a plea of not guilty.

BY THE CLERK:

Q Mr. McCluskey, would you state your full and correct name, please?

A Vincent McCluskey.

Q Mr. McCluskey, the gentleman standing on your right, Mr. Hopper, is he your attorney?

A Yes, sir.

Q Mr. McCluskey, do you waive the detailed reading of this indictment and plead not guilty?

A I do.

THE CLERK: Mr. Gold?

MR. GOLD: The defendant Chester Crawford wishes to waive the detailed reading of the indictment and plead not guilty.

BY THE CLERK:

Q In the United States of America vs. Chester Crawford, Mr. Crawford, the gentleman standing on your left, Mr.

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Gold, is he your attorney?

A At the present time.

Q Mr. Crawford, do you waive the detailed reading of this indictment and plead not guilty?

A Yes.

THE COURT: The trial date is set for September 11, 1973 in Room 35 at 10 a.m.

MR. DIRENZO: If your Honor please, will the record also show, for the benefit of the defendant Carroll, that an application in his absence was made to fix bail and that I had attempted to obtain a reduction in the original $200,000 bail that had been set and after argument your Honor denied the application to fix bail and fixed bail in the sum of $200.000.

THE COURT: That's true, and that's true for Mr. Hopper regarding Mr. McCluskey. And Mr. Gold, you make an application on behalf of the defendant Crawford?

MR. GOLD: Your Honor, what I would like to do is, he expects to see Mr. McGilicuddy today or tomorrow.

THE COURT: I'll adjourn, then, any application by Mr. Crawford.

(Pause)

THE COURT: The defendants may be returned.

(Pause)

(At 11.40 a.m. in open court)

THE COURT: Mr. Mogel, did you tell Mr. Mann that Mr. Anolik was here but had to go to attend another session of the court?

MR. MOGEL: Yes, your Honor. Your Honor, I told him that. I've also advised Mr. Mann and Mr. Myers of the changes in the superseding indictment and told them that otherwise that it is the same, and both Mr. Myers and Mr. Mann will waive the reading of the indictment and plead not guilty to all counts.

THE COURT: All right.

BY THE CLERK:

Q The United States of America vs. Terence Dewey Myers. Mr. Myers, please rise.

The gentleman standing on your right, Mr. Mogel, is he your attorney?

A Right.

Q Mr. Myers, do you waive the detailed reading of this indictment and pelad not guilty?

A Yes.

THE CLERK: You may be seated.

THE COURT: Do you want to make a bail application?

MR. MOGEL: I believe that bail was fixed in a

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prior application in the amount of $250,000. There will be no further application at this time.

THE COURT: All right.

MR. MOGEL: With respect to Mr. Mann, he has not pleaded as yet.

THE COURT: Mr. Mogel is appearing on behalf of Mr. Anolik solely for the purpose of taking this pleading.

BY THE CLERK:

Q In the United States of America vs. Jeffrey Mathews Mann, Mr. Mann, Mr. Mogel is here temporarily just for the pleading.

A Yes.

Q Mr. Mann, do you waive the detailed reading of this indictment and plead not guilty?

A Yes, sir.

MR. MOGEL: Your Honor, I believe that Mr. Anolik joined in an application for a reduction in bail with some other defendants and it was fixed at $250,000.

THE COURT: That is true.

MR. MOGEL: I have advised Mr. Mann of that.

THE COURT: All right. The trial will proceed on September 11th in this courtroom at ten a.m.. Counsel have been advised of the time for motions.

MR. VIVIANI: Thank you, your Honor.

DISTRICT COURT
MAR 5 1974
S.D. OF N.Y.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

vs. :

73 Cr. 606

PAUL CRAWFORD, :

Defendant. :

----------x

Before:

HON. CHARLES M. METZNER,

District Judge

New York, N. Y.
June 20, 1973 - 10:30 a.m.

APPEARANCES:

PAUL CURRAN, Esq.
United States Attorney for the Southern District of New York
BY: JOHN J. KENNEY, Esq.,
Assistant United States Attorney

JOSEPH KLEMPNER, Esq.,
Attorney for Defendant

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THE CLERK: Is the government ready?

MR. KENNEY: Government is ready.

THE CLERK: Defendant ready?

MR. KLEMPNER: Yes.

THE COURT: I understand you filed a superseding indictment.

MR. KENNEY: That is correct.

THE COURT: Do you have a copy of the superseding indictment?

MR. KENNEY: I have given him an indictment which is not superseded but which is identical except for four changes in the wording which I can point out to Mr. Klempner.

THE COURT: I think you should. We might as well take the pleading to the superseding indictment.

MR. KENNEY: All right, your Honor. I don't have a copy of the superseding indictment but I will make the changes for him on the old indictment. It will only take a moment.

THE COURT: All right.

(Pause.)

MR. KLEMPNER: I have now been given the corrections between the original and the superseding indictment. We will be prepared to plead. There is just one matter I would like to mention before that.

I appreciate your Honor's appointing me in this matter. As always, it's a very great pleasure for me to appear before your Honor.

I am not certain that as of this moment my name is still on the list of attorneys who are qualified to receive appointment. When the list was revised, I was somewhat delinquent in resubmitting my name. I did that eventually. I am not certain that I am still on the panel.

THE COURT: Youd better go check it.

MR. KLEMPNER: I shall.

THE COURT: You are qualified to handle the arraignment proceedings.

MR. KLEMPNER: I certainly am and I certainly will do that.

THE COURT: Are you ready to plead?

MR. KLEMPNER: Yes. The defendant, Paul Crawford at this time waives the reading of the superseding indictment and he offers to plead not guilty at this time.

BY THE CLERK:

Q In the United States of America vs. Paul Crawford are you Mr. Paul Crawford?

A Yes.

Q Mr. Crawford, the gentleman standing on your left, Mr. Klempner, is he your attorney?

A Yes.

Q Mr. Crawford, do you waive the detailed reading of this indictment and plead not guilty?

A Yes.

THE COURT: Is there a bench warrant issued on the old indictment?

MR. KENNEY: That is right. I believe there was. A detainer was filed in Washington. We would move to --

THE COURT: Is Mr. Crawford now in custody here in the Southern District?

MR. KENNEY: Yes. He was arrested in Washington on a complaint filed down there with regard to the same facts which happened in this Court.

THE COURT: Part of the removal proceeding.

MR. KENNEY: Yes. Once our warrant was lodged he waived removal and came up here voluntarily.

THE COURT: All right, the bench warrant issued in 73 Cr. 583 is vacated.

THE COURT: What about bail?

MR. KENNEY: The government would ask $35,000 bail, your Honor, which is the bail that was set by the United States Magistrate in Washington on the original complaint in Washington. Again, we repeat the seriousness of the offenses charged and point out that Count 2 of the indictment

is punishable by mandatory life sentence. Mr. Crawford has been prior to his arrest a tire changer with, I believe Hertz Company in Washington. He has periodic employment, spasmodic employment, and he has no roots in the community here in New York. I am not familiar with his roots in the community in Washington.

I think that the bail is reasonable under the circumstances.

THE COURT: Mr. Klempner, the government requests $35,000 bail.

MR. KLEMPNER: Yes. If your Honor please, any significant bail in this matter would prevent the defendant's being at liberty, so I am not going to oppose that bail at this time. I would rather ask permission at a later date to make an application that that bail be modified.

THE COURT: All right, bail is fixed at $35,000.

(Pause.)

THE COURT: Remanded in lieu of bail.

MR. KENNEY: Your Honor, there would be no reason for Paul Crawford to be here in person on Monday; is that correct?

THE COURT: No; since he's pled to the indictment.

May I see counsel up here.

(Discussion off the record at the bench.)

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

- - - - - - - - - - - - - - - - - - -x

UNITED STATES OF AMERICA, :

:

-against- : 73 Cr. 606

:

THOMAS JOSEPH CARROLL, et al. :

:

Defendants. :

- - - - - - - - - - - - - - - - - - -x

BEFORE:

Hon. Charles M. Metzner, D. J.

September 5, 1973
10 A. M. - Room 35

APPEARANCES:

John J. Kenney, Esq.,
Assistant United States Attorney.

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(Case called.)

MR. KENNEY: The government is ready.

THE CLERK: Are there any attorneys for the defendants?

MR.KENNEY: I don't believe there are,your Honor.

I was talking to Mr. Haifitz who represents Mr. Rippy this morning. He was scheduled to have a hearing with regard to Miranda warnings being given with regard to Mr. Rippy making a statement. However, due to an oversight by myself, this man Rippy is in a correctional institution in Washington. I did not realize until yesterday that the writ he had been brought up here on in late June or July had been satisfied, so Mr. Haifitz and I both concur we can't proceed with the hearing without the defendant and we would ask your Honor to adjourn the date of the hearing.

I prepared a writ, and the date I had typed up is September 17, the day of the trial, with the idea your Honor could correct that to whatever date prior to that would be convenient.

I might mention at the same time that I expected Mr. Kaplan to be here this morning. I spoke to an associate of his, Mr. Kenneth Clark, who indicated he would not be. Mr. Kaplan is desirous of making some similar motions with regard to a Miranda hearing.

rkcg

THE COURT: Who is Mr. Kaplan?

MR. KENNEY: He represents John Turner, who is the John Doe in this indictment.

The government filed a complaint after Mr. Turner was arrested which was in June of this year, late June and the reason we did that was because a reading of the minutes before the grand jury indicated there was some confusion whether it was clear to the grand jury that John Turner was in fact the John Doe in the indictment, so we filed a complaint and we plan to supersede the indictment to eliminate simply the John Doe a/k/a act and put in the name if the grand jury would accept it that way, John Turner.

The grand jury will be returning September 11 but in the interim, Mr. Kaplan was appointed by the magistrate.

THE COURT: When was he appointed?

MR. KENNEY: Mr. Kaplan was appointed I believe in August. We didn't file the complaint until August although we located Mr. Turner in late June. We didn't actually file the complaint, and I don't have the date with me, but it was between August 2 and approximately the 16th or 17th of August. I believe mid-August.

Since Mr. Kaplan was appointed, he has come into my office and had complete discovery in the case and he has indicated to me on the telephone, yesterday, that he does not

feel the filing of the indictment including Mr. Turner's name and eliminating John Doe would prejudice him in any way with regard to the September 17 trial date. However, I think it is only fair to alert your Honor that the reason we bring this up now, we are going to say if Mr. Kaplan were here, he would say that he asked the government yesterday to agree to adjourn the time for any motions or hearing on Miranda with regard to John Turner because he has raised certain issues with regard to Turner that the government wants to investigate so there is a possibility that the motions may be unnecessary.

We felt we have no objection to doing that but we didn't want to do that with the court having set today for any such hearings, to my understanding, so we thought Kaplan would be here this morning. I called his office last night after talking to your chambers and apparently there was some confusion.

We mention that now because we have asked that the court state that any hearing for Mr. Turner, if such a motion would be made, be made at the same time as Mr. Rippy's.

I was going to alert the court to the fact there is a possibility if Mr. Kaplan should make his motions, Mr. Kaplan would move for a severance of his client. If that motion was successful, it would not mean a change in the September 17 date, it would simply mean there would be a

necessity for two trials of one or more of the defendants being severed.

THE COURT: When do you say the grand jury is meeting?

MR. KENNEY: September 11. We have had some difficulty as your Honor might imagine in getting the June regular together because of their vacation schedules.

THE COURT: Why don't we adjourn this hearing on Rippy to September 13 at 10 o'clock room 35?

MR. KENNEY: With regard your Honor to the date in the writ, today being the 5th, may we make the writ returnable then if it would be convenient for your Honor to Wednesday morning? I don't believe there is a requirement here before your Honor and we could have the marshall send the writ up to your chambers. I am just thinking of Mr. Haifitz wanting to see Mr. Rippy.

THE COURT: Let me have the writ.

Can't you get him here sooner? Today is Wednesday the 5th. He is in Washington, D. C. Can't you have him here by the 11th?

MR. KENNEY: I think we can probably have him here by the 11th, your Honor.

THE COURT: I have changed the date to the 11th. Conform your copies to it.

rkcq

Have you notified all defense counsel of the disposition of your sealed affidavit?

MR. KENNEY: Yes, your Honor. I believe I sent a copy to the court of the letter. I am sorry I don't have my whole file with me. I was before Judge Edelstein and I came right down.

THE COURT: All right.

MR. KENNEY: May I give your Honor the requests to charge and I will just hand it to your law clerk.

THE COURT: All right.

MR. KENNEY: We just want to clarify this matter with regard to Mr. Turner. Is it the court's understanding it will be adjourned to the same time as Rippy?

THE COURT: My understanding is that I have set down a hearing on Rippy for 10 a. m. September 13 and that if Mr. Turner wishes to make a similar motion, it will be returnable at the same time and place.

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	
v.	
THOMAS JOSEPH CARROLL, JOHN TURNER, a/k/a "Jack", VINCENT MC CLUSKEY, a/k/a "Mike", ROBERT E. RIPPY, a/k/a "Ripp", CHESTER CRAWFORD, PAUL CRAWFORD, TERRENCE DEWEY MYERS and GEOFFREY MATTHEWS MANN,	73 Cr. 855
Defendants.	

BEFORE:

Hon. CHARLES M. METZNER, D. J.

August 6, 1973
10:35 a.m. - Room 318

APPEARANCES:

PAUL CURRAN,
United States Attorney for the
Southern District of New York;
BY: JOHN J. KENNEY, ESQ.,
Assistant United States Attorney.

DONALD A. HOPPER, ESQ.,
Attorney for Defendant McCluskey.

FREDERICK P. HAFETZ, ESQ.,
Attorney for Defendant Rippy.

JAY GOLD, ESQ.,
Attorney for Defendant Chester Crawford.

MURRAY MOGEL, ESQ.,
Attorney for Defendant Meyers.

ALSO PRESENT:

Jay Goldberg, Esq.,

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THE COURT: Gentlemen, I gather now we have present the defendant Mc Cluskey represented by Donald A. Hopper.

We also have the defendant Crawford represented by Jay Gold.

MR. GOLD: May I say that the defendants are not here, your Honor. Just the lawyers.

THE COURT: The defendant Rippy is represented by Frederick P. Hafetz.

The defendant Meyers is represented by Murray Nogel.

None of the defendants are here, nor were they asked to be here, except the defendant Mc Cluskey.

MR. KENNEY: Your Honor, the defendant Mc Cluskey is here.

THE COURT: Let's take up this application for change of attorney first.

MR. GOLDBERG: May I address the court on behalf of that application. My name is Jay Goldberg.

Your Honor, about a week ago, the family of Mr. McCluskey consulted me about a trial which they told me was originally scheduled for the 11th. Then, from Mrs. Mc Cluskey, I understood that it was to go on on the 17th.

THE COURT: The 10th.

MR. GOLDBERG: I am telling your Honor why I proceeded

with the application. I was told that it would go on the 17th.

When I prepared the motion papers I visited with the defendant Mc Cluskey, I learned that the case was not scheduled for the 17th or the 11th but the 10th. I had a trial commitment with Judge Dooling in the Eastern District. That's a case that will start on the 4th and, according to the judge's law clerk, it is scheduled between 5 and 10 days. I would think a safe estimate would be seven.

I stand here, your Honor, somewhat upset by the fact that perhaps had I realized the case was on the 10th I might have taken a different approach, but I went and I visited with the defendant. I was retained by the family, the wife, prior to my learning of the 17th not being the fixed trial date.

I called Judge Dooling to try to reschedule the September 4 date and I was unable to do anything with that date.

Should your Honor see fit to act upon my application I would prepared on the September 4 date to engage counsel, with the consent of the defendant, for all proceedings after my summation, including the charge and jury deliberations. I recognize that with the court's calendar as congested as it is these trial dates are fixed, but I can only commend to your Honor the feeling that the defendant would like me to appear as his trial counsel. He doesn't make this application on the eve

of trial but rather a month prior to the scheduled trial.

Of course, the penalties are so severe in this case that I would just ask your Honor to try to accommodate the interests of all, and also the right of the defendant Mc Cluskey to have counsel of his own choosing. I cannot do anything more than that. I don't come here with a position that I feel that the relief must be granted. I know it is in the exercise of this court's discretion, and perhaps had it not been a case where penalties are severe as this I might have thought better than to press this application.

It seems to me in a case where the defendant faces the kind of penalties that he does here, if there is any way possible that this court can favor the defendant with counsel of his own choosing, I would commend that approach to your Honor, most respectfully.

THE COURT: We are dealing with seven defendants and seven lawyers. All defendants are presently in jail, so, obviously, the quicker the trial proceeds the better.

Secondly, to get seven lawyers to agree on a date is one terrific job. This date was fixed back in June.

MR. GOLDBERG: I can appreciate that, your Honor.

THE COURT: Pardon me. I listened to you and now you listen to me.

It was done because of various vacation schedules

that counsel had. I wanted these motions which are deemed returnable today returned earlier, but some of the lawyers said they were going to be away in July and the return date was later. Other lawyers are going to be away in August. So we took the first available date, which is the 10th, for this. The Judicial Conference is September 7. There was no sense in starting on Tuesday, or Wednesday, and then adjourning to go to the Judicial Conference.

Now, in order to reschedule this, bearing in mind that I have five trials back to back from September 10 to November 2, all criminal trials where the dates were firm, lawyers have set the time aside, it means not only finding the trial date agreeable to several lawyers, in this case but finding time agreeable to all the other cases that follow it.

This is a very serious case because it involves bribery in the model cities program. Counsel are involved.

The only thing I can do for you is if all the other six counsel and their clients agree to a week's adjournment, that I can do. That's the only change that I agree to.

We will start with you, Mr. Gold.

MR. GOLD: For myself and my own schedule, your Honor, I have no commitments which would interfere with a week's adjournment. I have not talked to my client about it. I don't anticipate that he would have an objection, but I will do so at

your Honor's suggestion.

THE COURT: Mr. Hafetz?

MR. HAFETZ: The same as Mr. Gold. I have no problem with a week's adjournment. I will communicate with my client. He is presently serving a sentence on another charge.

THE COURT: You don't have a problem.

MR. GOLD: My client was just sentenced to a ten-year term also. I don't know whether he is actually serving it at West Street. I don't anticipate an objection.

MR. GOLDBERG: I spoke to Robert Mitchell and he told me, authorized me, to indicate that he would have no objection to an adjournment of the case.

THE COURT: We also have to obtain the approval of the defendants who are sitting in jail for an extra week, but I assume Mr. Goldhas no problem with his client. Mr. Hafetz says it is all right. Mr. Mitchell, you say, approves.

Mr. Mogel?

MR. MOGEL: Your Honor, subject to the approval of my client there will be no difficulty. I have no discussed this with my client.

THE COURT: That leaves Klempner and Direnzo. That's all.

You have them call me by tomorrow or Wednesday.

If it is all right with them and their clients I will put the case over. If they don't agree I will not put it over.

MR. GOLDBERG: I tried to reach Mr. Direnzo but was unable to do so.

THE COURT: Or Mr. Klempner?

MR. GOLDBERG: I made no effort to reach him.

THE COURT: His telephone number is 925-3177.

MR. GOLDBERG: I would undertake to speak to Mr. Direnzo and Mr. Klempner.

THE COURT: I have a case scheduled to start the 20th, which I have to adjourn. I can't adjourn all five. One I can take out and put at the end. Beyond that I will be juggling five cases if I tried to find any other date. So when you say you will be free by the 17th --

MR. GOLDBERG: I appreciate your patience.

THE COURT: I should let you know that I spoke to Judge Dooling myself to see if we can work it out. Obviously it could not be because his date was a firm date and he proceeds the same way I do. I put cases off for two or three months for trial but the date is firm and there are no adjournments.

The only reason I am considering this is because of the seriousness of the crime involved. If it were not for that there would be no adjournment.

As I expect counsel to keep their date with me, they have a right to expect me to be available when they set the time aside to try their case.

If I hear from you, Mr. Klempner, Mr. Direnzo, Mr. Mitchell, and Mr. Mogel regarding their clients we will put it off.

Can we have your phone number?

MR. GOLDBERG: It is 374-1040.

THE COURT: Pending that, Mr. Hopper, I say you are still on the case. If you wish to sit here and listen to the argument of these motions -- I am sure you know what it is about. Mr. Hafetz has asked to argue. Mr. Gold has said that he would accept Mr. Hafetz's argument.

MR. GOLD: No. I said, your Honor, he is going to carry the laboring oar. I would like to sit by.

THE COURT: If he misses something you would like to put a few words in?

You might as well sit here, Mr. Goldberg.

MR. GOLDBERG: I will.

THE COURT: Mr. Hafetz, you may proceed.

MR. HAFETZ: Good-morning, your Honor.

Your Honor, I state, first, that I submitted my memorandum prior to receipt of Mr. Kenney's papers, so perhaps we can save argument on a few points that I have raised initi-

ally before I go into those that are in dispute and has significance.

Mr. Kenney, apparently, has consented, as I read his papers, to allow an interview of the government witnesses in the case upon consent of their counsel. He has represented in his affidavit, as I read it, the last page or next to the last page, that all government witnesses -- I assume this applies other than to government agents in the case -- are co-defendants and, as I understand in the affidavit further, if their counsel consent Mr. Kenney will arrange to have those defendants who are incarcerated produced at the courthouse at a date to be fixed, today I hope, for interview by the remaining defendants' counsel.

THE COURT: Mr. Kenney?

MR. KENNEY: Well, it is close to what we said. We don't say that all witnesses are co-defendants. We say we don't have any incarcerated witnesses who are not co-defendants.

Other than that, anybody in our possession, whether they are co-defendants or whatever, if any defendant wants to talk to them we will produce them so they can be talked to.

THE COURT: In other words, your concession is to witnesses who are incarcerated?

MR. KENNEY: Anyone who is incarcerated that the defendants would like to talk to, the government is willing to

produce them.

Naturally the government cannot insist they talk to the defendants, and if they are co-defendants they have counsel and the government will produce them all with their counsel who will be notified of the request.

THE COURT: You understand his concession?

MR. HAFETZ: I do. I think it is a little different than the sentence in the affidavit.

MR. KENNEY: May we have a paragraph number?

MR. HAFETZ: Paragraph 29 number 90.

The Government does not have any incarcerated witnesses or potential witnesses who are not also defendants in this case.

I read that to mean all witnesses who are co-defendants.

THE COURT: As of now.

MR. KENNEY: That's right.

THE COURT: Do you want a date for their production?

Mr. Kenney?

MR. KENNEY: Any date. They are in West Street. We can produce them tomorrow.

MR. GOLD: Tomorrow is fine.

MR. HAFETZ: Can we make that tomorrow afternoon?

THE COURT: First check with their attorneys.

MR. HAFETZ: May I ask who the witnesses are so I can secure the attorneys' consent.

MR. KENNEY: I think there is a fundamental misunderstanding. The government has seven people in custody. We will produce those seven people. We will not identify witnesses unless the court orders us to do that.

THE COURT: Now you are getting down to the nub of your question.

MR. HAFETZ: Let me then launch into the argument which I thought was going to be obviated on this issue.

THE COURT: You came in with a happy mind.

MR. HAFETZ: Judge, aside from the cases and ABA citations which I have set forth, I think the most important factor is this is a capital case. If it is not still capital the defendants stand to face a life sentence, and I think in such a case where the charge is so severe, in the interests of justice, unless the government can show some reason not to, it would require the defendants to have in advance the names of those witnesses to be able to conduct any interviews and trial preparation. I really cannot add anything to that. I think the nature of the case speaks for itself, and that is, as far as seriousness.

There are some cases which I have noted which are

not directly in point. The Baum case, which is in the footnote, speaks generally about disclosure and adopts the ABA standards on that. This case is still a capital case.

THE COURT: Is it?

MR. HAFETZ: Well, I recognize that the court, when called upon to rule on the statute, might rule it unconstitutional. I am cognizant of that. It has not been so ruled yet. Even if it were, I think the question becomes somewhat tricky in that it is still labeled as a capital offense Congress has provided under Section 34-32 for the naming of witnesses.

THE COURT: In a capital case.

If I were to hold it is no longer a capital case because it is unconstitutional to impose the death penalty, it is no longer a capital case. Capital punishment means decapitation. Congress has not seen fit to say that a capital case is one in which life imprisonment is embraced within its terms. A capital case means capital punishment.

Consequently, to clarify the atmosphere, I will now rule that the provision for the imposition of capital punishment is unconstitutional in the section involved in this case. The court will not impose such punishment if the defendants are found guilty of first degree murder. We will not submit to the jury the question regarding recommendation.

That brings you then not to the section application but to the Baum case.

MR. HAFETZ: With respect to Baum, the issue there concerned the non-revelation of witness testimony concerning prior criminal acts by the defendant not revealed until the time of trial when defense counsel previously made a pretrial request and then requested an adjournment time to do investigation concerning that. The court denied the request and reversed its ruling that that request should have been granted prior to trial absent some compelling reason by the government not to so disclose.

In a footnote the court amplified its statement by referring to ABA standards in what I believe to be the modern liberized trend, which is that the government should, to make it a fair trial unless it can point out some reason not to, disclose in advance the names of witnesses. I believe this is all understood in this case by the fact that although the court has now ruled it is not a capital defense, the defendant faces life imprisonment.

I submit that the government, unless it can show the court some special reason, some special circumstance, not to reveal, should come forth and disclose the names of the witnesses that it would present at trial.

I might also state that as I understand it the

witnesses appear to be incarcerated co-defendants, at least some of them. I read this implication from Mr. Kenney's remarks. If this is so, I don't see how there can be any jeopardy attaching in the revelation of those witnesses. It is simply a question of the jailers bringing them to the courthouse and returning them, for possible interview by co-defendant counsel in the case. This was similar to the situation of that witness in the Baum case in which he was also incarcerated. There was no particular jeopardy attached.

THE COURT: Mr. Kenney?

MR. KENNEY: Your Honor, the government's position is that the Baum case is not controlling the facts of this case.

THE COURT: The footnote in the Baum case is controlling, Mr. Kenney. There is a direction to the District Court and to the United States Attorney's office to follow what the footnote said.

MR. KENNEY: We think, your Honor, that the footnote simply underlines the power that this court has always had to turn over lists of witnesses --

THE COURT: It never did.

MR. KENNEY: It has always had the discretionary power to do that.

THE COURT: But never did. We were constantly

pgcg

sustained by the Court of Appeals for refusal to turn over the lists of witnesses. I think this footnote says that the Court of Appeals is changing its attitude and now you are to turn over lists of witnesses unless you have a good reason why they should not be turned over.

MR. KENNEY: In this particular case, your Honor, I won't elaborate since your Honor has expressed your opinion on the ruling of the Baum case, but I would like to make a point. In the Baum case the man was charged with crimes and he didn't know what was going to happen. In this case the facts are the reverse.

The defendants and defendants' counsel are well aware that some co-defendants may well testify against them. This is an extensive indictment combined with extensive disclosure by the government as to the facts of the case, the time, the place, and we feel it just is not necessary to turn that over.

The Court of Appeals makes certain findings as a fact-finder in the Baum opinion, and one of them is since the man is in jail the government finds that directly contrary to its experience. The government has allowed their extensive series of what are known as safe houses where people are placed where they are known to be cooperating with the government simply because it is more dangerous for a cooperating witness

to be in a jail than not to be in a jail.

THE COURT: Wait a second. On this point I can understand that to have two defendants in the same jail, and one to know the other one is going to testify against him, is not a happy situation for the one who is going to testify, nor for the government or the wardens who have a responsibility of maintaining control of the jail. But if that's true, don't you obviate the problem by separating them, putting them in different jails?

MR. KENNEY: Talking in connection with the Baum case, theoretical argument, a man is safer in jail not connecting it with an accusation in this case. The government has found, as a matter of fact, and operate daily on this premise, that if a man wanted to kill another man who is going to testify against him it would be easier to do that if the man were in prison than if not.

THE COURT: I thought by what I said I was agreeing with your statement?

MR. KENNEY: No matter what jail he is in, assuming he is not going to commit the act personally.

MR. GOLD: May I request why these witnesses are in so-called safe houses then?

THE COURT: I don't know what that is.

MR. GOLD: He mentioned it. He said if they do put

them in safe houses -- whatever they are -- then they are safe. Why aren't these witnesses there? We have no objection to them being placed in a situation of absolute safety. He is now saying that they are over in the clink and they are in danger, and he says the government has the means by which to extricate them from that danger, and doesn't explain to the court why they have not taken advantage of the means.

MR. KENNEY: The government is talking about the Baum case and not about the defendants in this case.

THE COURT: Let's get on to this case.

MR. KENNEY: We feel, considering the facts which the defendants know in this case and the discovery in the case, there is nothing more for the defendants to know about the case other than the names of the witnesses and, as they have requested, statements of which the witnesses have made.

The government would not know anything that the defendants don't know more than a month before trial, and we find it very difficult to believe the Court of Appeals in a footnote indicated that in all criminal cases this should be the situation. The government does have the burden of proving the case beyond a reasonable doubt and after indictment the government has not discovery whatsoever.

THE COURT: Well, the Court of Appeals has put several things in footnotes for the last couple of years which

have had tremendous impact on criminal law in this circuit. They footnoted the adoption of the rule that the court looks upon the evidence at the end of the government's case as whether a jury could find a man guilty beyond a reasonable doubt was overturned, a prior rule enunciated years ago that the court looked upon as though the government has proved its case beyond a preponderance of the evidence or by a preponderance of the evidence. That was found in a footnote.

MR. KENNEY: Talking about cases, United States versus Persico; if you look at that it says flatly the government has no obligation in a non-capital case toturn over a list of witnesses.

What I am doing is attempting to distinguish the Baum case in which this footnote must be read to some extent from the present case. In the Baum case the government simply said, "We are going to prove a similar act. The crime you committed, we are not going to tell you what the crime is, where it was committed, or who the witness is." The Baum case talks about that prior to the footnote and the government makes that point, in a brief on page 6 where the Baum court said, "The defendant, in fact, is being required to stand trial for crimes for which not only has he not been indicted for but which he has not been informed about."

In the present case we have an entirely different

situation.

THE COURT: Have you read the ABA rule?

MR. KENNEY: Yes, your Honor.

THE COURT: Are they as limited as you are arguing for here?

MR. KENNEY: I don't believe they are, your Honor. I think they are broader. I am not certain they require a list of witnesses in every case, but I don't think that the Baum case has adopted the ABA rule and the ABA rules have not been adopted in the recent amendment of the federal rules.

THE COURT: What is your next point?

MR. HEFETZ: Judge, the more pertinent of the other discovery requests concern the nature of the pending charges against the persons who will be government witnesses in the case. We asked for three things. The first was essentially a record of prior conviction of persons who will testify as government witnesses.

THE COURT: I believe that has been consented to by the government.

MR. HEFETZ: At time of trial Mr. Kenney has consented to disclose.

The second of pending charges in this jurisdiction or others.

The third are investigations known by the govern-

ment of which the witness is currently a subject.

THE COURT: Why should you get the latter?

MR. HEFETZ: I believe the cases in the circuit sanction the use of that on cross-examination. Your Honor, in the Wolfson case I believe there was a SEC no action letter against the government witness and the Second Circuit approved of its use by defense counsel to impeach the government witness. There was a no action letter after the witness became a government witness.

If these facts are not known obviously they can't be used by defense counsel.

I think, for example, if one of the co-defendants who is going to testify was the subject of another charge, for example in New York County, or investigation over there, and counsel has been involved in negotiations with the government for leniency, or the defendant himself -- that witness, rather, has been involved in some discussion without the knowledge of his counsel with the knowledge of the government, I think both, under Brady and under the Second Circuit decisions, recognizing the use of those cases, those facts rather, on cross-examination, they should be turned over to defense counsel and not just when the witness finishes testifying but sufficiently in advance of trial so that the surrounding facts insofar as they are relevant on cross-examination can be

researched by defense counsel.

THE COURT: I do not think you are entitled to any information regarding a pending investigation which has not been embodied in the indictment or filing of that information.

MR. GOLD: I believe Mr. Kenney has really consented to this.

THE COURT: Not the last part.

MR. GOLD: One of the items --

THE COURT: He has not consented to your finding out whether one of the witnesses is the subject of an investigation, say, by the Bureau of Narcotics and Dangerous Drugs and he has not been indicted yet. He doesn't consent to that.

MR. GOLD: I do believe he has consented to disclose this kind of information. For example, in connection with the requiring of a witness' testimony for this case, suppose he has been shown some consideration in some pending investigation? For example, they told him, "Look, we were about to indict you in a narcotics case; if you come forward in this case and testify for us we will forget about that other case."

THE COURT: Are you concerned with that?

MR. KENNEY: Yes. The government has consented to that. The government has consented to turn over the

defendant's own criminal record.

First of all, as far as its own witnesses, the government will turn over their criminal records insofar as it has a criminal record.

THE COURT: Criminal record? That's not what --

MR. KENNEY: We have agreed with regard to Mr. Gold's client and also, therefore, all the other defendants in the case, to tell defense counsel at the time of trial any agreement, promise, or so-called deal which the government has made, if they have made one with the witness for his testimony. That would include what Mr. Gold is saying, if we made such a deal with pending investigation.

What the government is opposing is turning over one situation where a man has been indicted but not convicted and, too, where he is under investigation and is testifying for the government but where the government has made no arrangement with him or promise to give him anything, nor does he expect anything. The reason we impose those situations with our witnesses is this:

It allows defense counsel to impeach the witness by showing he is under investigation even though the witness is denying that he has any bias because he expects to gain as a result of his testimony.

So, as Mr. Hafetz points out, counsel are free

to ask the witness, "Have you ever been convicted of any crimes? Have you made arrangements with the government to gain something as a result of your testimony?"

The witness will testify, will tell defense counsel, whatever arrangement there is.

THE COURT: That's what Mr. Hafetz calls the second group, one where there is an indictment but no conviction.

MR. KENNEY: If we made an agreement or if the defendant has an understanding, but if we gave Mr. Hafetz information with regard to pending investigations which are unrelated to this testimony, it would allow him to say, "Isn't it a fact that you are under investigation by the Bureau of Narcotics and Dangerous Drugs for doing this?"

He would say yes or no, whichever he knew about it. He will say he didn't expect to get anything out of that, but this would allow Mr. Hafetz to paint the witness as a bad witness, using acts that he could not use to impeach him because he has not been convicted of a crime.

MR. HAFETZ: I think that's a jury's conclusion.

MR. GOLDBERG: I was going to ask permission --

THE COURT: You are a spectator. There is able counsel, including Mr. Hopper.

MR. GOLD: The reason I rose was to refine this

and to get the area we are not in agreement about out in the open. The area he stated properly, but we are entitled to that information; that is to say, a pending investigation which the witness is a subject of. But he says he won't tell me about it if there has been no deal made with respect to that investigation. I think I have a right to that not as a matter of impeachment material, but I am entitled to explore that witness' state of mind to see whether or not as a result of giving testimony in this case he expects, in his own mind, in the absence of any deal, he expects consideration. This is probably one of the most important cases in this office now. If I were a defendant witness in this case, even though I was offered no consideration in the pending investigation, it would be normal for me to expect that as a result of putting 7 or 8 men in jail for them to show me some consideration. I, as defense counsel, am entitled to explore that. I have no basis for exploration if I don't know what the investigations are.

MR. KENNEY: He can ask the witness, "Are you involved in any other investigations? Do you expect" --

THE COURT: Pardon me.

MR. KENNEY: We have no objection to that line of questioning, "Do you expect to get anything?"

I do not think it is the government's obligation

to find out pending investigations which the witness may not be aware of exist so that they can use that as information to discredit.

MR. GOLD: If he is not aware they exist I'm not looking for that.

I just got through with a trial before Judge Brieant, the so-called Beck case, which went on for a month. It was a securities fraud case. Mr. Raichle was counsel in that, along with several others, and the prosecutor, this very office, sent us a letter detailing the pending investigations against their chief witness so that we were in a position to explore with him whether or not we expected consideration in those cases.

That is another thing that is odd. Depending upon which Assistant United States Atrorney you are dealing with in this office you get this kind of discovery --

THE COURT: Depending upon which judge you are dealing with you get this kind of discovery too.

MR. KENNEY: It is difficult for the government to answer that while Mr. Gold has not told me the circumstances of the case. Just getting up in court in oral argument and saying that this happened in another case --

MR. GOLD: I'm not claiming you are bound by it.

You see, the thing that Mr. Hafetz has said I

would like to restate, and that is that in this case I believe that it would be proper to ask the government with respect to each and every item that we are asking for here why it is, what compelling reason they have, for not giving us this stuff? This is a mandatory life imprisonment case. If he can show the court and defense counsel why a particular item will truly prejudice the safety of a witness or prejudice the government's case other than it will enable us to prepare properly as lawyers, and then I say he has an argument.

But to get up and say, "We don't have to give you this and we don't have to give you that," it is not a question as to whether he has to give but whether he should give it to us in fairness without unduly prejudicing the government's case. He has no element of safety of a witness. He has nothing to fear here. Everybody is locked up. His witnesses, such as they are, can be taken to the so-called safe houses, Governors Island or wherever. We should be in a position on September 10 where we don't have to ask your Honor for time.

For example, two defendants in this case, two co-defendants, have made statements in writing. His plan for this trial is that I will get to see these at the moment they finish their examination. In a case such as this it is silly, in my opinion. He should give us the statements now

so we have the time to sit down --

THE COURT: He says he doesn't have to, under the law. But you are going to see it anyhow, aren't you?

MR. GOLD: How?

THE COURT: Your co-defendants counsel is going to show it to you.

MR. GOLD: They won't do it. I have already asked one of them. I asked one of them and he said no. He doesn't believe it is in the interest of his client to show me that statement. He just refused to do that.

In any event, I have no process against him. I can go to the government to show me that statement. How does that statement hurt the government other than it makes me a better cross-examiner?

THE COURT: Of course, traditionally, you don't get statements of witnesses no matter what sort of case it is.

MR. GOLD: My question is, why not?

THE COURT: Because the courts have said it is not that necessary to make it a fair trial, and the statute says it is not that necessary to make it a fair trial.

MR. GOLD: But we are going in a totally different direction now, and I believe it is necessary in this case for defense counsel to sit down and study the statements to see whether or not there is some area for investigation

for us. We cannot investigate on September 10.

THE COURT: You know the people involved in this case. You know who was present at the scene of the crime.

MR. GOLD: No, I don't.

THE COURT: You don't?

MR. GOLD: He has to tell us that. I have asked for that information.

MR. KENNEY: The government has consented to give the information with respect to each defendant.

MR. GOLD: He has not given me the information yet. I don't know who was there.

THE COURT: I think you have a pretty good idea. I think you have a pretty good idea. If you don't, others do and I am sure when you talk with co-counsel you will be pretty well prepared to know what the government's case is by the time you get in here.

MR. GOLD: I understand that there were two persons who handled firearms and participated in the actual shooting, but he has not told me with respect to the other six defendants here whether --

THE COURT: You mean the other five.

MR. GOLD: Whether they were in the vicinity of that event. That's what I want to know.

THE COURT: All right.

MR. HAFETZ: Just to amplify one particular area that rose in Mr. Kenney's discussion, the manner in which he would approach it is to let defense counsel ask on cross-examination, "Are you under indictment anywhere in the United States for any other charge?" --

THE COURT: Wait a second. We are past that. The only area in which he is not furnishing the information is where a man is currently under investigation with no charge pending. By "charge" I assume he means indictment or information. That's the area he will not give.

MR. HAFETZ: I misunderstand.

THE COURT: Is that right, Mr. Kenney?

MR. KENNEY: That was not our position. We have been objecting to giving information referring to outstanding indictments as well.

THE COURT: You are going to give that.

MR. HAFETZ: I assume that includes arrests, indictments?

THE COURT: Indictments or informations. You are entitled to that. He said he is not going to give the investigations of a man who has not yet been indicted or had information filed against him.

MR. HAFETZ: He does state he will if there has been a deal.

THE COURT: Yes. That's right.

MR. GOLD: There is one element which we have not discussed, and that is assuming the government is in possession of Brady material and they in their affidavit say they recognize their obligation to Brady -- I asked for the production of this material if it existed at all prior to trial, well prior, and his position is that if he has Brady material he will hand it over to me during the trial. That will not help me. If he has it or comes in to possession of it prior to trial, he should give it to me then. Why hold on to it until the eve of trial or until the examination of the witnesses?

MR. KENNEY: This is an argument on a moot point. Mr. Gold, perhaps, can point to the place where I say, "I will turn it over at the time of trial." I tell Mr. Gold it does not appear there and the government understands their Brady obligation and will turn it over at the appropriate time. The "appropriate time" means as soon as the government has such information not at trial. We are perfectly aware we cannot hold on to Brady material.

MR. GOLD: I wanted you to state that.

MR. KENNEY: Perhaps if you had read the affidavit you would not make this statement.

MR. GOLD: This affidavit was in my morning mail.

MR. KENNEY: Is it nearly noon.

THE COURT: We have been sitting here since 10 o'clock.

MR. KENNEY: Perhaps you would not misstate that the government has not said they will turn over 3500 material at the end of the direct testimony.

MR. GOLD: I have not said one word about 3500 material.

MR. KENNEY: You said the government's position is that they will turn these over at the end of the direct testimony. Our position is that we will turn over that material the night before the witness is going to testify in a trial of this type.

MR. GOLD: That's fine. To the extent it applies to 3500 material, I am asking for the statements of their witnesses now.

THE COURT: All right.

What is the next point, Mr. Hafetz?

MR. HAFETZ: Judge, I think that is essentially it. I think the other items are covered in Mr. Kenney's affidavit.

There is one point I would like to clear up as far as my request. I have asked whether there were any seizures made from my client's person or any of his property.

Mr. Kenney's affidavit, I believe, is addressed to his person. No seizure from his person. I would like to inquire whether there were any seizures, or else have him advise me whether there were any seizures of any property.

MR. KENNEY: Our position is that insofar as I know the only seizures were from the persons of the defendants as they were arrested. I am making inquiries as to whether anything else was taken. I have no reason to think that. We are asking.

6 THE COURT: I assume you will turn over to Mr. Hafetz if you find out there was a seizure from property which turned out to be illegal.

I gather there is a request for a hearing here?

MR. HAFETZ: No. I have not made any request for a seizure hearing because he has told me nothing was taken from his person. Unless he tells me that anything was taken from any of his property I have no motion to supress. I made a motion to supress an oral statement.

THE COURT: Wait a second. You made a motion for a hearing. I set it down for September 5 at 11:30 a. m.

MR. HAFETZ: I'm sorry. Part 2, I asked for a hearing if such evidence was obtained. I will withdraw that motion if the government will represent --

THE COURT: It is down for a hearing. Notify

my chambers if you withdraw it. It was to be September 5, 11:30, room 35.

MR. GOLD: I believe one of the government's consents would cover disclosing at this stage whether the John Doe in this indictment was now known to them with a real name.

MR. KENNEY: We have consented to that.

MR. GOLD: You didn't consent to it specifically. He consented to giving us co-conspirators which, so far, is unknown --

MR. KENNEY: We have consented specifically to turn over the name of John Doe in this discovery.

THE COURT: Mr. Mogel, do you have anything to say?

MR. MOGEL: No, your Honor.

THE COURT: Mr. Hafetz, have you completed?

MR. HAFETZ: I have.

THE COURT: Mr. Hopper.

MR. HOPPER: Nothing, your Honor.

THE COURT: You join in everything that has been said by other counsel?

MR. HOPPER: Yes.

MR. HAFETZ: We have not yet been told the date in which Mr. Kenney will turn over that material to which he

has consented to turn over. I will be leaving for vacation on August 17 and won't be back until September 4. I would request that any material that is going to be turned over be done so by the end of this week, and I would request further that if the court rules that the witnesses may be interviewed --

THE COURT: I will direct that anything that the government is going to turn over should be turned over by the 17th. The 17th is a Friday. You are leaving on Friday.

MR. KENNEY: The government is prepared to turn over matter to Mr. Hafetz immediately if he wants to come down to my office.

MR. HAFETZ: That would be the same. If the court rules that we may interview government witnesses that, I assume, --

THE COURT: We will work that out with Mr. Kenney. You have a problem, as I understand it, with respect to your ability to talk to any possible co-defendants who may be witnesses for the government. The government says, "We are not going to tell you now which ones, if any, of the co-defendants may be a witness for the government, but if you wish to interview any co-defendant you may do so after obtaining a consent of counsel and of the witness."

The witness can refuse to talk to you. If you obtain that, Mr. Kenney says he will arrange to have such co-defendant produced here in court at your convenience.

MR. KENNEY: That's right, your Honor.

THE COURT: I will hold the motion for two days now on substitution.

MR. HAFETZ: Is that September 5 date for all motions, pretrial hearings, supression --

THE COURT: I only have one request for a hearing and that is yours, and it is set down for 11:30 on Wednesday, the 5th.

MR. KENNEY: Does include a Miranda hearing at that time?

MR. HAFETZ: I made that too.

THE COURT: Whenever he asked a hearing for he will have on September 5, 11:30, in the morning, room 35. I have other matters started at 10 o'clock.

Thank you, gentlemen.

The court is in recess.

(Recess.)

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

----------X

UNITED STATES OF AMERICA :

v. :

73 Cr. 855

THOMAS JOSEPH CARROLL, et al., :
(ROBERT E. RIPPY, a/k/a "Ripp"),

:

Defendants.

----------X

New York, N. Y.
September 12, 1973

B e f o r e:

HON. CHARLES M. METZNER,

District Judge

Appearances:

PAUL R. CURRAN, Esq.
United States Attorney
For the Government
By: JOHN J. KENNEY, Esq.
Assistant United States Attorney

FREDERICK P. HAFETZ, Esq.
Attorney for Defendant Rippy

12-2

(Case called)

MR. KENNEY: The Government is ready.

THE COURT: Attorney for the defendant?

MR. HAFETZ: Attorney for the defendant Rippy ready.

THE COURT: What is this proceeding about, Mr. Hafetz?

MR. HAFETZ: Judge, this is a hearing to determine whether the statement made by defendant Rippy to postal agents is admissible.

THE COURT: All right, Mr. Kenney.

MR. KENNEY: The Government would call Postal Inspector Dexter, your Honor.

MR. HAFETZ: Judge, may I ask,if there are any other postal agents here, they be excused until called to testify.

MR. KENNEY: There won't be any more testimony, your Honor. The only other postal agent is Inspector Lally, who is working with me on the case.

THE COURT: You may proceed.

G E R A L D D E X T E R, called as a witness by the Government, being first duly sworn, testified as follows:

THE COURT: You may proceed.

DIRECT EXAMINATION

BY MR. KENNEY:

Q Mr. Dexter, what is your occupation?

A I am a postal inspector.

Q How long have you been so employed?

A A little over two years.

Q Now directing your attention to June 13, 1973, did you have occasion to go to the Lorton Correction Facility on that day?

A I did.

Q Will you tell us where that facility is?

A It's located in Lorton, Virginia.

Q Was there anyone with you?

THE COURT: Pardon me, how is that spelled?

THE WITNESS: It's L-o-r-t-o-n.

Q Was there anyone with you on that day?

A Yes, Inspector Luker.

Q When you went to the Lorton Facility, what did you do?

A We went for the purpose of interviewing a person by the name of Robert Rippy.

Q Prior to the interview with Mr. Rippy, did you or Agent Luker -- is it Luker or Lucas?

A Luker.

Q Did you say anything to Mr. Rippy?

A We advised him of his rights concerning Miranda.

Q Did you do that or did Inspector Luker do that?

A Inspector Luker did.

Q Would you tell us just how he did that?

A Well, he took out two standard warning and waiver forms, which we carried with us, and he handed one to Mr. Rippy, and he read from one that he had in front of himself.

(Government's Exhibit 1 marked for identification.)

Q Inspector Luker read from a form?

A Yes.

Q After Inspector Luker read from a form, did anything else happen?

A Well, actually he read first maybe two or three lines of the form, and Mr. Rippy said that he had seen it before and he knows what it says, and Inspector Luker advised that he let him finish reading the form.

Q Did Mr. Rippy say anything else?

A No.

Q Did you do anything in connection with the form after that?

A I signed my name to it to signify that I witnessed the signing of it.

Q Did Mr. Luker do anything?

A He also signed it.

Q Did Mr. Rippy do anything?

A He also signed it.

Q Directing your attention to Government Exhibit 1, can you identify that?

A Yes. This is the standard warning and waiver form which was presented to the defendant on the 13th of June.

Q Is that the one that was signed by yourself, Mr. Luker and Mr. Rippy?

A Yes, it is.

Q Are those signatures the signatures of those people?

A They are.

Q Does it have the date on it?

A Yes, it does.

Q Does it have the time of day?

A Yes.

MR. KENNEY: Your Honor, we offer it.

THE COURT: Show it to Mr. Hafetz.

MR. HAFETZ: No objection. Mr. Kenney showed it to me before.

(Government's Exhibit 1 was received in evidence.)

Q After Mr. Rippy signed that form, did you then

conduct an interview with Mr. Rippy?

A Yes, we did.

Q Did you conduct the interview or did Mr. Luker?

A Mr. Luker conducted the interview.

Q Did Mr. Rippy give you a statement at that time?

A He made several oral statements to us.

Q Did you take those statements down?

A Inspector Luker took notes at the time during the course of the interview.

Q Were those notes subsequently typed up?

A Yes.

Q Did you see the typed-up version of those notes?

A I did.

Q When did you see the typed-up version?

A It was on the afternoon of the 13th.

Q Did you sign your name to the typed-up version of the interview of Mr. Rippy?

A Yes, I did.

MR. KENNEY: May I have this marked as Government's Exhibit 2.

(Government's Exhibit 2 was marked for identification.)

Q I show you Government's Exhibit 2 for identification. Can you tell us what that is?

A 202 Affidavit of Personal Service of Papers H LUTZ APPELLATE PRINTERS INC.

U.S. COURT OF APPEALS:SECOND CIRCUIT

Index No.

U.S.A.,

Appellee,

against

Affidavit of Personal Service

CARROLL, et al,

Defendants-Appellants.

STATE OF NEW YORK, COUNTY OF NEW YORK *ss.:*

I, James Steele, *being duly sworn,*

deposes and says that deponent is not a party to the action, is over 18 years of age and resides at

250 West 146th Street, New York, New York

That on the **10th** *day of* **June** *19 74 at* **Foley Square, New York**

deponent served the annexed Appellant's Brief *upon*

Paul J. Curran-U.S. Attorney Southern District-Attorney for Appellee

the *in this action by delivering a true copy thereof to said individual personally. Deponent knew the person so served to be the person mentioned and described in said papers as the* Attorney(s) *herein,*

James Steele

Print name beneath signature

Sworn to before me, this **10th** *day of* **June** *19 74*

JAMES STEELE

Robert T. Brin

ROBERT T. BRIN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 31 - 0418950
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES MARCH 30, 1975